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**“Our (In)Ability to Speak”:
Interpretations and Representations
of Prostitution in an English Policy
Context**

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2016

Declaration

I declare that this thesis has been composed solely by myself and that it has not been submitted, in whole or in part, in any previous application for a degree. Except where stated otherwise by reference or acknowledgment, the work presented is entirely my own.

Rebecca Hewer

Date

Abstract

Over the last ten to fifteen years, prostitution policies in England have grown increasingly welfarist in tone, stressing the relative victimhood and vulnerability of women who sell sex. This thesis explores important facets of these emergent narratives. Using a qualitative multi-method approach, it investigates the manner in which 21 policy-actors and seven policy documents - principally originating from the English prostitution 'policy subsystem' - interpret and represent prostitution. From a methodological perspective, generated findings are explored through the dual interpretative frameworks of critical discourse analysis and sociological frame theory. These frameworks require that localised narratives be contextualised within, and explained by reference to, broader discursive and cultural conditions. In deference to this, findings are situated within rich bodies of academic literature which commentate on, promote and critique various political philosophies, ideological discourses, and critical social theories, such as (neo)-liberalism, a number of feminisms, and Bourdieusian sociology.

More specifically, this thesis explores the way 21 policy actors, and four of the selected policy documents, represent the subjecthood of women who sell sex. It approaches this endeavour via discussions of vulnerability, subjectivity/choice, and gender. Here, it concludes that actors and documents draw on, and contribute to, a plurality of complimentary and contradictory ideological discourses, to interpret and represent certain facets of a woman in prostitution's 'self'. Substantively, it suggests that - whilst there is a broad consensus regarding the importance of the internal individualism of women who sell sex, and the instrumentality of externalities with regard to shaping her social spaces and ability to choose - questions of gender remain highly contested. Thereafter, this thesis explores the way the same policy-actors, and three distinct policy documents, discursively include/exclude prostitution from violence against women and girls (VAWG) narratives. It begins by exploring how documents and actors define violence in generic terms, and to what degree they adhere to a feminist sociological model when explaining the aetiology and causality of VAWG. It then discusses how prostitution's relationship to VAWG is framed, and inclusion/exclusion is justified. Here, it concludes that whilst there is a general commitment to the feminist sociological model of VAWG, the question of whether or not prostitution should be included beneath its auspices is highly contentious - pitting classically oppositional coalitions of actors against one another *and* creating intramural disputes within coalitions themselves. Drawing these strands together, concluding chapters explore framing dynamics.

In total, this thesis offers a number of contributions to the fields of prostitution and VAWG policy studies. It demonstrates that while debates in the English prostitution policy subsystem frequently appear to be comprised of two bitterly oppositional 'advocacy coalitions', the two groups share multiple areas of ideological consensus, at least with regard to how they understand prostitution. Indeed, more often than not, coalitions differ principally with regard to their prognostic frames and their judgments of material prevalence. In turn, this disrupts extant literature on advocacy coalitions, which suggests that policy-actors organise themselves into groups by reference to their core belief systems, whilst showing a willingness to compromise on secondary considerations. These areas of consensus by no means suggests that matters are straightforward, however. Indeed, this thesis provides evidence that many facets of the prostitution debate are nuanced, complex and ambivalent - that actors entertain and promote contradictory narratives, that coalitions suffer intra-mural fractures over discursive fault-lines, and that framing preferences are strategically engaged. With regard to the last point, this thesis makes a significant methodological contribution to the field of discourse analysis, insofar as it explores the manner in which respondents can

be represented as both formed through, and active users of, discourse. It does so by bringing two distinct discourse theories/methods into dialogue with one another. Over and above this, this thesis seizes upon the theoretical opportunities presented when original findings and extant academic scholarship are used to elucidate and develop one another. Most notably it deploys the work of critical social theorists, Martha Fineman and Pierre Bourdieu, to explore new ways in which the harms of prostitution can be conceived.

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"Let's face it. We're undone by each other. And if we're not, we're missing something"
Judith Butler, Undoing Gender

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Abbreviations

APF	Adaptive Preference Theory
CJS	Criminal Justice System
CDA	Critical Discourse Analysis
DEVAW	Declaration on the Elimination of Violence against Women
FGM	Female Genital Mutilation
FSM-VAWG	Feminist Sociological Model of Violence against Women
IPV	Intimate Partner Violence
PSWR	Pro-Sex Workers Rights
SEM	Socio-Ecological Model
SFT	Sociological Frame Theory
VAWG	Violence against Women and Girls

Chapter One – Introduction

Over the last fifteen to twenty years, Westminster prostitution policy discourses have become increasingly welfarist in tone (Scoular & O'Neill, 2007). Whilst previously characterised by a concern for matters of public nuisance, policy narratives now tend to emphasise the relative vulnerability and victimhood of women who sell sex (Carline, 2012; Munro & Scoular, 2012). The genealogy of these discourses is undoubtedly a matter of some complexity. Many argue that the dominance of “abolitionist” narratives, and related contentions that prostitution is a form of violence against women and girls (VAWG), are at least partially responsible (Brooks-Gordon, 2010; Munro & Scoular, 2012; Sanders, 2005). Relatedly, it has been suggested that dominant narratives regarding human trafficking, and their conflation with understandings of domestic prostitution, are to blame (Davidson, 2006). Some argue that political discourses associated with child abuse (Munro & Stychin, 2007) HIV/AIDs, and substance dependency (Matthews, 2008) have similarly contributed to discursive shifts within the field. In contrast, multiple theorists have lamented the omission of a “pro-sex work” narrative from official discourses (Kantola & Squires, 2004; Sanders, 2005). And whilst some academic commentators have celebrated the move towards welfarist narratives (Matthews, 2008) others have remained sceptical regarding their organising principles and potential ramifications (Munro & Stychin, 2007; Scoular & O'Neill, 2007).

My thesis takes the emergence of these welfarist narratives as its starting point, and goes on to discuss two discursive strands contributing to their (re)production: subjecthood and VAWG. It explores how four policy documents, and 21 policy-actors, represent the subjecthood of women who sell sex. It then goes on to explore how three different policy documents, and the same policy-actors, discursively include/exclude prostitution from VAWG policy narratives. Each discursive strand is related to the other - each bound up in narratives regarding the epistemic value of subjectivity, gender, and dominant social forces. In exploring these matters, this thesis discusses the plurality of ideologies and political philosophies drawn from, and contributed to, by actors and documents, when representing prostitution. Furthermore, it discusses areas of ideological and narrative convergence/divergence, between these actors and documents. In what follows, I elaborate briefly on the two identified discursive strands (i.e. subjecthood and VAWG), before discussing the more technical dimensions of my research.

Subjecthood is a contentious notion, over which much philosophical ink has been spilled (see Bourdieu, 1977; Butler, 2016; Meyers, 2010). Furthermore, what constitutes a subject, and how, has drawn considerable feminist attention (Meyers, 2010; Stoljar, 2014), not least because of the political and normative implications of related representations (Butler, 2014, 2016). Key issues - such as what constitutes the ‘political’, how individuals can meaningfully be held to account, and what role government should play in the lives of its citizens – are very frequently organised around particular constructions of the subject. With regard to prostitution narratives, multiple theorists have argued that emergent discourses of vulnerability and victimhood rely on a particular representation of the subject – one which paints all women who sell sex as weak, passive and unable to consent (Brooks-Gordon, 2010; Comte, 2013; Davidson, 2006; Hubbard, Matthews, & Scoular, 2008; Munro & Scoular, 2012). Furthermore, some have expressed concern regarding a neoliberal form of subjectification, permeating prostitution policy, which relies on the individualisation and responsabilization of subjects and has significant political currency within contemporary policy debates, broadly construed (Munro & Scoular, 2012; Phoenix, 2007; Scott, 2011). Relatedly, it has been persuasively argued that the individualisation of subjectification – be it through the spectre of victimhood or otherwise

– has diverted attention away from the social conditions which structure prostitution and women’s lives more generally (Munro & Scoular, 2012; O’Neill, 2010). Issues of subjectification are, furthermore, particularly potent within (historic) prostitution debates – as much contention exists regarding the degree to which women can, and do, *choose* to sell sex (see MacKinnon, 2011; Miriam, 2005; Murphy, 2012; Nussbaum, 1998; Overall, 1992; Pateman, 1988). In any event, this thesis provides a nuanced account of the different narratives of subjecthood promoted within the discursive policy space studied.

The second discursive strand explored represents an academic road less trodden. That women in prostitution experience violence is well documented (see Farley, 2004; Raphael, 2002) and that some abolitionists conceive of prostitution as a form of violence unto itself, is established (see Dworkin, 1993; Jeffreys, 2008; MacKinnon, 2011; Tyler, 2012). What has received comparatively less attention is prostitution’s variable inclusion within English VAWG policies, and the representations relied upon to promote - or counter - this inclusion. This gap is curious, as prostitution’s inclusion in VAWG narratives more broadly has induced controversy (Agustin, 2001; MacKinnon, 2011; Raymond, 1998; Weitzer, 2005). Furthermore, prostitution’s incorporation within domestic, national and regional VAWG policies has oscillated markedly (see HM Government, 2009, 2010a). Finally, as findings explored in this thesis evidence, the question of whether prostitution should be included within Westminster VAWG policies, is fraught and complicated by a lack of consensus amongst those inclined to promote related framings (e.g. abolitionists). This thesis begins to address this research lacuna, exploring how policy documents and actors discursively include/exclude prostitution from VAWG policies, as well as the narratives they offer in support of their positions. Notably, this thesis was born from practice-based¹ observations regarding the relative contention over, and ambiguity about, this issue.

As should now be apparent, this thesis explores discourse: it is concerned less with what the problem is, and more with what the problem is represented to be (Bacchi, 2012). It does not seek to illuminate the materiality of prostitution, but rather the way policy-actors and documents represent prostitution. As I discuss in Chapter Four, this approach is predicated on the critical realist assumption that subjects represent phenomena in accordance with their ideologically laden interpretivist lenses – lenses at least partially formed through discourse. In turn, discursive constructions are understood to be important properties of the social world (Mason, 2002) – insofar as they are, at least partially, micro-manifestations of broader social discourses *and* representations which create certain material effects. Accordingly, this thesis is underpinned by the theories of critical discourse analysis (CDA) and sociological frame theory (SFT) (Benford & Snow, 2000; Fairclough, 2010). In any event, in this chapter, I begin by discussing some practicalities, including my research questions, before moving on to provide a thorough account of relevant background issues (e.g. details of policy fields).

1.1 Thesis Overview

This is a qualitative multi-method research project which explores the stories policy-actors, and documents, tell about prostitution. In general terms, it describes English prostitution policy discourses, and explores the relationship between these localised narratives and broader (ideological) discourses. More specifically, it seeks to answer the following research questions:

¹ Obtained through work experience with a homelessness charity and my subsequent professional involvement with local authorities/the women’s sector. Discussed in Chapter Two.

How do policy-actors - working within the English prostitution policy subsystem - and related policy documents:

- Interpret and represent the subjecthood of women in prostitution?
- Discursively include/exclude prostitution from narratives of violence against women and girls?

Figure 1 Research Questions

This thesis draws from data generated via two sources:

- Approximately 35 hours of semi-structured qualitative interviews, with 21 *policy-actors* working within two (opposing) *advocacy coalitions*, functioning within the English prostitution *policy subsystem*. These (italicised) classifications arise from the work of Sabatier (1988), and are discussed in Chapter Five. For now, it should suffice to say that:
 - A ‘policy subsystem’ is a relatively autonomous network of actors, concerned with an issue-specific policy area (prostitution). Subsystems are situated within policy systems (in this case, Westminster).
 - An ‘advocacy coalition’ is a group of actors, working within a subsystem, who share a belief system/understanding of a problem, and show a “non-trivial degree of coordinated activity over time” (Sabatier, 1988, p. 139).
 - I have labelled the two advocacy coalitions studied here, ‘abolitionists’ and ‘pro-sex worker’s rights’ (PSWR) advocates. I discuss the grounds for these classifications below.
 - A ‘policy-actor’ is any individual who participates in the work of an advocacy coalition. For the purposes of my work, policy-actors include elected and non-elected government officials, statutory workers, campaigners and service providers.
- Seven relevant Westminster policy documents; four pertaining to prostitution specifically, and three to VAWG. These documents were published between 2004 and 2012, and therefore span three governments (two Labour-led administrations and the more recent Conservative-Liberal Democrat coalition government).

Moreover, and in keeping with CDA and SFT, this thesis draws on extant academic explorations of ideological discourses, e.g. feminisms. My literature review therefore functions as a survey of the rich academic contributions to the field of study, *and* a source of information regarding political narratives of varying levels of dominance.

1.1.1 Research Area

The jurisdiction under study (England) was selected on two grounds: researcher expertise and resource limitations. With regard to the first, I am a non-practicing Barrister in England and Wales, and have a good understanding of this jurisdiction’s legal framework. Northern Ireland and Scotland have distinct legal systems, with which I am unfamiliar. Though my work focuses predominantly on policy, I have remained committed to an interdisciplinary approach and have therefore viewed my legal expertise as relatively valuable. With regard to the second, the devolved assemblies of Scotland and Northern Ireland have published distinct prostitution policies; whilst Scotland, Northern Ireland and Wales have distinct VAWG

policies. Thus, though the legal framework of England is also the legal framework of Wales, their policy terrains diverge. In turn, necessary resource limitations necessitated that I make decisions regarding how many documents I could analyse thoroughly, and how many policy-actors I could interview. I restricted myself accordingly.

1.1.2 Terminology

This thesis is partially predicated on the assumption that the language we use is constituted by, and constitutes, our dominant belief systems (Easteal, Bartels, & Bradford, 2012; Fairclough, 2010; Foshay, 1998; Thompson, 2012). The words we employ to represent a phenomenon emphasise some features, whilst shrouding others; draw on some connotations whilst silencing the alternatives. It is therefore imperative that I treat terminological quandaries seriously. In debates on prostitution, sensitivity to language is heightened: whether one utilises the term sex-worker tends to signify whether one accepts a particular interpretation of the illicit sex trade (Thompson, 2012). The term ‘sex-work’ linguistically situates the sale of sex within the ‘legitimising’ structures of employment, and challenges discourses of deviancy and victimhood (Kempadoo & Doezema, 1998; Scoular, 2015). Alternatively, some feminist theorists prefer the term ‘prostituted woman’ (see Jeffreys, 2008) - favouring the connotation that prostitution is done *to*, rather than *by*, women. As I discuss in Chapter Two, I have a deeply ambivalent relationship with prostitution. Normalisation makes me uneasy, but so too does the possibility of reproducing a symbolic landscape responsible for pillorying marginalised women. The idea that women are necessarily passive victims troubles me, but so too does the concept that women are an active embodiment of an industry functioning largely beyond their control. I, therefore, occupy a moderate political space – informed by a desire to respect women who sell sex, to recognise the complexity of the self as a social phenomenon, and to resist linguistic othering. Accordingly, I favour terms which I understand to be respectful, inclusive, and capable of encapsulating a range of subject positions. For these reasons, I tend to favour the term ‘women who sell sex’.

Additionally, I often refer to prostitution as ‘an industry’ or ‘trade’ and, in so doing, imply a level of legitimacy I do not necessarily endorse. It is a potential testament to the hegemony of capitalism that alternative (delegitimising) terms remain unavailable - no language of aberrance exists. With that said, I use the term ‘illicit sex industry’, pointedly, to signal the relative complexity of prostitution as a phenomenon. Localised prostitution is situated within a global sex industry— much of which is legal (e.g. pornography), much of which is not. The legal shares personnel, symbolism, space, and clientele with the illegal (Jyrkinen, 2012). Boundaries are more discursive than material. Due to the necessary constraints of this thesis, this is not a matter I am able to address in any depth – but I wished to indicate cognisance of it here.

Finally, as mentioned, I characterise the prostitution debate and, the coalitions studied, as constituted by *PSWR advocates* and *abolitionists*. I favour these classifications as they avoid straightforward association between diagnostic positions and particular ideological discourses (e.g. liberal/radical feminism), and organise contributions by reference to their over-riding prognostic frames (e.g. legitimisation versus abolition). My decision to avoid classifications organised around political philosophies, and embrace classifications based on prognosis, reflects my observation that - whilst there are undoubted overlaps between one and the other - one is not reducible to the other. For, the PSWR “position is not theoretically or politically homogenous” (Miriam, 2005, p. 4) and “abolitionism is generally associated with radical feminism, even though the latter includes many different positions” (Comte, 2013, p. 198). Building on this, I would suggest, in concord with Smart, that the “conceptual straitjackets” of notions like ‘liberal feminism’,

can “conceal more than they reveal” (1990, p. 194). This is something I explore within findings which evidence large areas of philosophical overlap between oppositional coalitions (see Part Three). In any event, when I do refer to other cohorts (e.g. radical feminists) I refer to either a subsection of a coalition studied *or* a discourse potentially influencing both (e.g. ‘leftist feminism’).

1.2 Thesis Structure

In the remainder of this Chapter, I provide a thorough account of the background to issues discussed in this thesis: Westminster prostitution policy, and prostitution’s inclusion in VAWG policies. In so doing I review the rich body of literature from which this thesis draws, and to which it contributes. Thereafter, in Part One, I explore a broad selection of relevant academic contributions to the topic of study. My purpose in doing so is twofold. First, I wish to situate my work within a vivid academic dialogue. Second, I wish to provide an in-depth account of the political philosophies which could be used to illuminate localised representations of prostitution. As explored within Chapter Four, the two analytical frameworks I deploy (CDA and SFT) are predicated on the idea that localised representations are dialectically related to ideological lexicons or cultural narratives (Benford & Snow, 2000; Fairclough, 2010). In order to fully embrace such an analytical approach, then, it becomes necessary to have a good sense of the discourses ‘available’ to the subjects of study. Thereafter, Part Two provides a detailed account of my methodological approaches, whilst Parts Three to Five provide in-depth and critical analyses of my original findings. A concluding chapter draws my various analytical arguments and theoretical offerings together. Here, I provide a brief overview of each chapter:

- Part One – A Literature Review
 - **Chapter Two** provides a detailed survey of various **feminist representations of prostitution**, as articulated within - and explored by - academic contributions. I begin by discussing narratives which support ‘sex-work’s’ legitimization/decriminalisation: liberal feminism and sex-positive feminism. I then move on to explore a number of abolitionist narratives regarding: the material conditions of prostitution, choice, the inviolability of bodily integrity, and male dominance. Thereafter, I draw out a key theme informing much feminist contention on prostitution: **the fundamental nature of the subject**. Specifically, I explore various ways the subject is understood to relate to externalities (e.g. society) – discussing theories which appear most salient to this thesis: liberalism, neoliberalism, causal/constitutive socialisation and Fineman’s vulnerability thesis.
 - **Chapter Three** explores, by way of literature review, **definitions and theories of violence** - highlighting areas of ambivalence, ambiguity and contest. I begin by discussing signification struggles, and pay particular regard to feminist critiques of meaning making. I then explore definitions of violence which stress the interpersonal: physical, sexual and psychological incursions visited upon the body of one subject, by the body of another. Thereafter, I discuss ‘social violence’, namely violence thought to originate not from subjects (narrowly conceived), but from the symbolic/structural world. Here, I discuss both Galtung’s ‘structural violence’ and Bourdieu’s ‘symbolic violence’. I then move on to explore the feminist narratives of VAWG, before discussing theories which seek to complicate them (e.g. intersectionality).

- Part Two – Methodology and Methods

- **Chapter Four** explores the **research philosophies/theories** underpinning my research. I begin by discussing the ontological theory underpinning my understanding of what constitutes ‘knowledge’, and my subsequent treatment of data, critical realism. I then go on to discuss how feminism and reflexivity inform my work – drawing on, and making connections with, ideas already explored in Chapter Two. I conclude by discussing the two interpretivist frameworks deployed in this thesis, CDA and SFT.
- **Chapter Five** provides a detailed account of **various research practicalities**. Here, I begin by outlining the methods utilised – documentary analysis and semi-structured qualitative interviewing. I discuss sampling, selection, access, and ethics. I then move on to survey my analytical approach - from a practical perspective - providing a detailed explanation of how I generated and applied codes. I try to remain reflexive throughout: detailing research challenges and how I overcame them.

- Part Three – Findings: Prostitution, the Subject and Society

In **Part Three**, I discuss findings which speak to my first research question: “how do policy-actors and documents interpret and represent the subjecthood of women in prostitution?” I approach the topic of **subjecthood** via three interrelated facets of the self - facets which appeared particularly politically salient following a study of both relevant literature and my findings - vulnerability, subjectivity, and gender.

- In **Chapter Six**, and through an analysis of findings, I explore how the concept of ‘**vulnerability**’ was deployed by salient policy documents and interviewed policy-actors. Varying representations of vulnerability speak intimately to the topic of subjecthood, not least because they tend to touch upon what is understood as inherent to the self/imposed. In any event, this chapter evaluates findings by reference to Fineman’s theory of vulnerability, as well as feminist narratives of prostitution more broadly. Here, I conclude that vulnerability has become a ‘floating signifier’ which does important work in organising hegemonic prostitution policy-discourses.
- **Chapter Seven** explores how relevant policy-actors and documents understood the **subjectivity** and choices of women in prostitution, and situates my original findings within the theories explored in Chapter Two. The contested notions of subjectivity and choice are important facets of subjecthood, insofar as both touch upon the aetiology of lived experience, the constitution of autonomy and the subject’s relationship with externalities. In any event, here, I conclude that, in contradiction to academic commentary which represents this topic as a focal point for feminist contests over prostitution, there is a relative consensus regarding the ontological significance of the subjects lived experience. At this juncture, I survey a key component of abolitionist narratives – prostitution as an affront to the public interest.
- **Chapter Eight**, discusses how policy documents and actors alike **represented gender**. Debates regarding gender speak intimately to questions of subjecthood – particularly with

regard to the constitution of the subject and the potentially social nature of individual identities. Specifically, I explore the degree of instrumentality, respondents and documents, represented gender to possess, with regard to prostitution. I begin by discussing women sellers of sex, before moving on to explore discursive representations of male sex-buyers. In turn, I conclude that gender has become a key site of contention, for the advocacy coalitions under study.

- **Part Four – Findings: Violence against Women and Girls and Prostitution**

In Part Four, I discuss findings which speak to my second research question: “how do policy-actors and documents discursively include/exclude prostitution from narratives of violence against women and girls?”

- **Chapter Nine** provides an analysis of how relevant policy documents and policy-actors theorised and defined **VAWG**. Here, I situate generated data within the narratives discussed in Chapter Three. I evidence, first, that a feminist model of VAWG has quite significant levels of political ‘buy-in’, across the prostitution debate spectrum, and second, that what is believed to constitute violence is somewhat ambivalent. In turn, I highlight a signification struggle, over whether certain phenomena should be classified as violence per se, or causally/contextually related to violence.
- **Chapter Ten**, explores how policy documents, and interviewed policy-actors alike, variously included/excluded **prostitution in/from their VAWG narratives**. Specifically, I explore PSWR respondents’ rejection of prostitution’s inclusion within narratives of VAWG; the framing oscillations of Westminster VAWG policies; and a framing dispute within the abolitionist coalition.

- **Part Five – Debate Dynamics**

- **Chapter Eleven** moves beyond the substantive content of representations, and explores the dynamics of the framing contest studied. I begin by surveying the various ways policy-actors sought to strategically promote preferred framings, and touch upon how respondents modified their language in order to maximise the cultural fidelity of their narratives. I then move on to discuss the relative contentiousness of the debate – highlighting how respondents from different coalitions sought to undermine one another’s credibility.

- **Conclusion**

I close by drawing the multiple strands of my analysis together, and identifying overarching themes and observations. I conclude by suggesting that a plurality of complementary and contradictory discourses are variously drawn from, and contributed to, by the policy documents and actors informing this research. I also suggest that, despite the hostilities differently positioned policy-actors feel for one another, the advocacy coalitions studied share significant areas of ideological consensus. Relatedly, I identify the relative instrumentality of gender – with regard to structuring women’s routes into prostitution, and defining or understanding the illicit sex trade – as a key site

of discursive contest. Thereafter, I identify potential avenues for future research, arising from findings already explored, and highlight my key contributions to the broad areas of interdisciplinary scholarship from which this thesis draws.

1.3 Background

Here, I provide – by way of literature review - a thorough account of key background issues: Westminster prostitution policy, and VAWG policy.

1.3.1 Westminster Prostitution Policy

In this section, I discuss two historically significant prostitution narratives, before moving on to explore contemporary discourses - focusing predominantly on Westminster² prostitution debates and related academic commentary. In Chapter Two, I go on to explore various feminist representations of prostitution – many of which were articulated contemporaneously with (if separately from) the narratives explored here. With regard to historic discourses, I begin by examining the narratives of public nuisance, which dominated Westminster prostitution policy for much of the mid to late twentieth century (Kantola & Squires, 2004). ‘Public nuisance’ relates to the alleged annoyance and upset caused by the visible/audible dimensions of prostitution, made manifest within the public sphere. I then move on to consider human trafficking discourses, which became increasingly central to prostitution debates around the beginning of the 21st century. These discourses concern the forced migration of (principally) women and children, for the purposes of ‘sexual exploitation’. Notably, though presented here as significant in a historical sense, both narratives continue to pervade much contemporary prostitution policy (Charman, 2008; Home Office, 2004, 2010). Each is woven into the complex contemporary discourses I explore in the latter half of this section. These discourses, it will become clear, rely heavily on representations of women in prostitution as, simultaneously, ‘victims’ of the industry within which they function, and responsibilised individuals obliged to take action to ‘exit’ the same (see Munro & Scoular, 2012). In more general terms, I focus on each discourse’s construction of the ‘problem’ of prostitution – paying regard to both that which is said, and that which is not. In so doing, I hope to provide a comprehensive background to prostitution policy generally; as well as a good sense of the relevant ideological terrain.

Public Nuisance

Discourses of public nuisance have a protracted history, dating back to the early 19th century and beyond³. To illustrate, *The Vagrancy Act 1824* sought to criminalise “common prostitutes behaving in a riotous or indecent manner in a public or private place” (quoted by Laite, 2006). That said, arguably the most influential modern inscription of such discourses can be found in *The Wolfenden Report 1957* (hereafter Wolfenden) (Grimley, 2009) – a document which endowed half a century of prostitution policy with the dominant and pervasive framework of liberalism (Kantola & Squires, 2004; Phoenix, 2005). In recognition of this influence, I begin by discussing Wolfenden and related critiques. I then move on to explore the relative resurgence of public nuisance discourses in the mid-1980s/early 1990s and to situate their renewed

² Clearly, the line between what constitutes a ‘government’ discourse and what constitutes a popular/academic/grassroots discourse is blurred. In this thesis, I use the term ‘government’ to refer to discourses expressed within ‘official texts’ such as committee reports, policy documents, Hansard and laws.

³ Medieval European authorities frequently expelled women in prostitution from urban centres – compelling them to sell sex outside city walls (Richards, 1994).

enunciation within the broader political context of the period. For ease of reference, Figure Two (below) provides a chronological representation of the various documents/statutes, referenced in what follows.



Figure 2 Documents/statutes contributing to the legal enactment of public nuisance discourses.

Wolfenden

In 1954 - and in response to an increasingly pluralistic and secular society - a departmental committee chaired by Lord John Wolfenden, convened to discuss the legal status of 'sexual deviancy' (Dworkin, 1998; Grimley, 2009; Phoenix, 2005). Within their sights were the dual spectres of prostitution and homosexuality. Three years later the 'Wolfenden Report' was published. In brief, the report recommended: that the publicly visible dimensions of prostitution (e.g. street-working) be criminalised; whilst the sale and purchase of sex be considered a matter of private morality and not, therefore, amenable to government intervention. These recommendations were primarily justified by the claim that publicly observable prostitution was an affront to the ordinary, decent citizen; whilst prostitution performed behind closed doors was not. Accordingly, the victims of prostitution were framed as bystanders to the trade - exposed to, and necessarily offended by, the sight of conspicuous sexuality (Kantola & Squires, 2004). Two years later, this position was given legislative voice within the *Street Offences Act 1959*. Most notably, this statute strengthened a pre-existing offence of solicitation by removing the need to prove 'persistence', whilst maintaining that the offence could only be, by its very definition, enforced against women. This, despite protestations from both civil liberties and feminist organisations that such gendering was egregiously discriminatory (Laite, 2006). Notably, prior to the publication of the committee's report, the *Sexual Offences Act 1956* - which contained a number of offences pertaining to third party involvement in prostitution - was enacted. Illustratively, it created the offence of 'living off immoral earnings' (colloquially, pimping) (Phoenix, 2005). Taken together, these statutes evidence the relative silence surrounding men who *bought sex*.

On an ideological level, Wolfenden affirmed a libertarian philosophy (Grimley, 2009; Laite, 2006) - delivering a jurisprudential foundation for the liberalisation of 'sexual norms' and the attendant concept of separate spheres (Kantola & Squires, 2004; Munro & Stychin, 2007; Phoenix, 2005).⁴ In brief, by decreeing that matters of private morality, made manifest in the domestic realm, be allowed to continue largely unabated, Wolfenden enshrined the notion that the personal *was not* political, that the citizen-subject was an entity separate to society, and that individuals should be - where possible - granted the freedom to exercise their individuality. Citizens, it was decreed, should exist free from communitarian moral authority (Grimley, 2009). "It is not the duty of the law" the report explained, "to concern itself with immorality as such" (The Wolfenden Report 1957 quoted in Dworkin, 1998). In keeping with this mantra, government was encouraged to curtail its reach - to regulate only that which took place in the public sphere, and to

⁴ Liberal political philosophy, and its reliance on a separate spheres binary, are discussed at in Chapter Two.

confine itself to criminalising behaviour which caused demonstrable/direct harm to the individual, or unwarranted disruption to society at large.

Wolfenden has been subject to a number of sustained critiques, most notably from feminist commentators. Phoenix (2007; 2005) argues that the report relied on an internal paradox: though it rationalised its stance by reference to a wholesale denunciation of moral authoritarianism, its criminalisation of prostitution's public manifestations depended on moral authoritarianism. By framing prostitution as an affront to 'decency' the report elevated the morality of an apparently offended public, above the morality of women selling sex – imposing one unquestioningly upon the 'other'. This, Phoenix goes on to suggest, is achieved by a naturalisation of that which is construed as offensive. Furthermore, critics have suggested that, in choosing not to regulate the private sphere (as delineated by *Wolfenden*), policy-actors failed to protect women in prostitution from the myriad harms which befell them behind closed doors (Munro & Stychin, 2007). Phoenix (2005) points to a wealth of research evidencing the profound violence visited upon women selling sex, in the period following *Wolfenden*. Finally, it has been suggested that the representation of harm promoted by *Wolfenden* (again presented as self-evident), represents a contingent (liberal) conception of the term. In short, *Wolfenden* focuses on tangible and immediate harm (e.g. physical force resulting in somatic injury) whilst neglecting to consider how less-perceptible and more diffuse social forces might function to the detriment of citizens in general, and women in prostitution in particular (Munro & Stychin, 2007). This is a common criticism of liberal philosophy and a matter I address more deeply in Chapter Two.

Notably, *Wolfenden* framed transactional sex as distinctly asocial – to sell sex, to buy sex, was to exercise one's unfettered autonomy. This was made evident by the report's emphasis on prostitution as an expression of private morality and its silence on matters of context. Again, this is a common attribute of liberal interpretative schema (see Oshana, 1998, 2007). In addition, *Wolfenden* also dismissed the notion that interpersonal coercion might play a role in women's decision making processes. The report claimed that pimping relationships were "usually brought about at the instance of the woman" (quoted in Phoenix, 2005, p. 85). Thus, women who sold sex were framed as the masters of their fates – little swayed by the vagaries of the world or the actions of those within it.

A Discursive Resurgence

During the mid-1980s, the Westminster government turned their attentions to the matter of prostitution as public nuisance once more (Phoenix, 2005; Sanders, 2009).⁵ A handful of commentators have suggested that this resurgence can best be understood by reference to broader political trends. Scott has argued that in "neoliberal regimes of governance" (such as those of the 1980s) "the street... is presented as a space of surveillance" (Scott, 2011, p. 54). Developing this point, Hubbard suggests that the relative freedom of women in prostitution was, and is, "sacrificed in the name of neoliberal urban policy" (Hubbard, 2004, p. 666). Related policies, Hubbard suggests, sought, and seek, to render public spaces the 'play-scapes' of the affluent. Echoing this point, Matthews (2008) suggests that renewed interest in public nuisance narratives was related to processes of gentrification, which increased the political visibility of the street-based sex trade. Large-scale regeneration of urban spaces led to the dispossession of the urban poor; and the arrival of wealthy, socio-politically empowered residents. The latter, affronted by the presence of street-based prostitution in areas they sought to inhabit, formed powerful neighbourhood groups – committed to lobbying government with demands for change. In frames which echoed *Wolfenden*, prostitution was

⁵ As intimated, the 1980s bore witness to the feminist 'sex wars', and narratives which bore limited regard to 'prostitution as public nuisance'. Furthermore, as will become apparent later in this Chapter, a number of third sector agencies were exploring/addressing another dimension of the sex trade still.

represented as a site of incivility, anti-social behaviour, unsightly detritus (e.g. used condoms), and related criminality (e.g. drug dealing). This, in turn, was said to make residents fearful, to blight communities and reduce the profitability of property. To illustrate, Jill Knight MP complained that: “The children cannot play.... Houses cannot be sold. In one part of Birmingham 50 per cent of the houses are up for sale and no one will buy them because of the kerb crawling problem” (Hansard 1985, quoted in Kantola & Squires, 2004, p. 80). Consequently, the street-based sex industry grew to signify urban malaise (Hubbard, 2004; Sanders, 2009).

In response, Westminster policy-actors increased regulation through criminalisation. At this stage, their regulatory sights settled on sex buyers – a cohort which had previously escaped legal scrutiny (Laite, 2006). Subsequently, ‘kerb-crawling’ was criminalised in the *Sexual Offences Act 1985* (Kantola & Squires, 2004; Phoenix, 2005; Sanders, 2009). Initially, however, the offence appeared unworkable: police were required to evidence ‘persistence’, and could not arrest potential offenders. Furthermore, Phoenix (2007) suggests that the offence inspired little enthusiasm among police, many of whom appeared unwilling to pursue conviction/charge. In response to such difficulties, a New Labour government passed the *Criminal Justice and Police Act 2001* - simultaneously removing the need to evidence persistence and gifting police powers of arrest (Phoenix, 2007). Despite these amendments, however, enforcement statistics remained low (compared to those for solicitation) and seemingly discriminatory: in 2002 there were 2678 convictions for soliciting and only 993 for kerb-crawling (Home Office, 2004).

The public nuisance discourses of the 1980s, and their material effects, have been criticised by a number of theorists. Sanders (2004), in sentiments which echo those explored with regard to Wolfenden, has expressed concern regarding how much emphasis has been placed on the purportedly anti-social behaviour of women in prostitution, and how little on the conditions which structure their entry into, and experiences of, the illicit sex trade. In addition, the enforcement of public nuisance offences is often criticised for displacing women, for forcing them into peripheral, poorly monitored and consequently more dangerous spaces (Hubbard, 2004; Sanders, 2004; Scoular, 2010). Hubbard suggests that this displacement serves the interests of “capital and the phallus” (2004, p. 666) insofar as it sustains conservative-capitalist spaces designed for both conspicuous consumption and the heteronormative family, whilst safeguarding men’s continued access to the bodies of marginalised women.

Trafficking

Prostitution debates of the 1990s and early 21st century were heavily influenced by trafficking discourses. And whilst public nuisance narratives were largely domestic in nature, trafficking discourses were aetiologically international, emerging from both the United Nations (2004) and the Council of Europe (2005) (Kantola & Squires, 2004). On a domestic stage, this led to the enactment of various pieces of legislation, which criminalised trafficking for the purposes of prostitution (Young & Quick, 2006). Arguably, the most dominant narrative strand within trafficking discourses pertained to the victim-subject (Askola, 2007; Davidson, 2006; Doezeema, 1999; FitzGerald, 2012). Indeed, it has been suggested that dominant (government/popular) discourses of trafficking were organised around the figure of a weak, passive, and victimized subject, whose ability to exercise her agency was significantly curtailed (if not entirely extinguished) by a criminal other (e.g. a trafficker). For example, former Solicitor General Harriet Harman described trafficking as “nothing less than modern slavery” (quoted in Davidson, 2006, p. 6), whilst Hubbard and colleagues characterise related media coverage as riddled with “horrific stories of rape, incarceration and humiliation” (2008, p. 139).

These trends have been criticized by scholars, on the grounds that they essentialise women's experiences of trafficking, and subsequently obscure the nuanced and complicated nature of agency and coercion (Askola, 2007; Davidson, 2006; Doezema, 1999). To illustrate, Doezema (1999) contrasts the trafficked-victim trope with evidence regarding the significant number of women who are cognizant of the reasons for their migration (e.g. involvement in sex industries) but who are misled regarding the conditions of their 'employment'. Similarly, she examines research which evidences that significant numbers of trafficked women are involved in foreign sex markets prior to their migration to the UK. Importantly, these examples illustrate *not* that women believed to be 'trafficked' are in fact free from coercive pressure, but that such pressure functions in myriad (sometimes indirect) ways, not necessarily accounted for in dominant constructions of the victim-subject. In turn, Davidson (2006) argues that when operationalised in policy and law, essentialising representations work to exclude women from the assistance they require. Compelled to evidence coercion, abject force, and the somatic manifestations of physical abuse, some such women fall short, and subsequently face deportation (Matthews, 2008). "Total control" Davidson posits, "is a fragile hook on which to hang the concept of slavery" (2006, p. 7). In any event, with regard to trafficking discourses, the 'victim' of prostitution is less the innocent bystander affronted by street based sex trades and more parties to that trade, e.g. women forced to sell sex. In this, then, trafficking discourses introduced contrasting themes to public nuisance.

Kantola & Squires (2004), writing before the publication of various contemporary policy documents (discussed below), suggested that the international victim of trafficking, and the domestic perpetrator of public nuisance, existed in relative isolation from one another – largely due to their distinct aetiologies and contexts (e.g. international versus domestic). However, commentators reflecting on this matter in the light of these documents tend to conclude differently. Davidson (2006) suggests that the 'sex slave' of trafficking discourses has come to signify all forms of prostitution. Similarly, Hubbard and colleagues suggest that "while not all prostitutes are trafficked, the conflation of exploitation and prostitution policy discourse has ensured that prostitution and trafficking law have now become inseparable" (2008, p. 140). In any event, it is to these contemporary policy documents – and their constructions of the victim subject – to which I turn now.

Contemporary Discourses

In 2004, New Labour initiated the first wholesale review of prostitution policy since Wolfenden (Phoenix, 2005; Scoular & O'Neill, 2007). They did so, first, with the publication of the tediously titled '*Paying the Price: A Consultation on Prostitution*' ('Paying the Price') and, then, '*A Coordinated Prostitution Strategy and a Summary of Responses to Paying the Price*' (2006) ('Coordinated Strategy'). These documents ushered in a new era of discourse – organised around the contention that those who sold sex (regardless of origin) were vulnerable and victimized (Carline, 2011; Davidson, 2006; Munro & Scoular, 2012), subject to extensive interpersonal violence (Phoenix, 2005) and in need of extensive government intervention. These discourses were subsequently rearticulated in '*Tackling the Demand for Prostitution: A Review*' (2008) ('Tackling Demand') and the Conservative and Liberal Democrat Coalition Government '*Review of Effective Practice in Responding to Prostitution*' 2010 (hereafter *The Review*). Once again, for ease of reference, Figure Three (below) provides a chronological representation of the various documents (legislative and otherwise), mentioned in this section. Many of these documents form part of the data corpus of this thesis and are therefore examined closely in Part Four. Here, I focus on academic analyses.

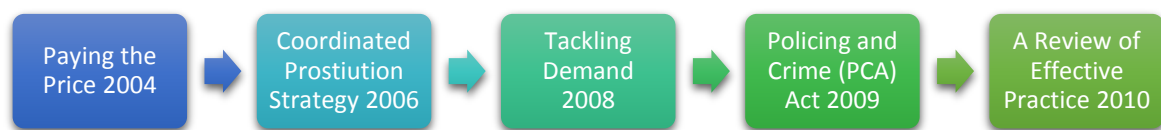


Figure 3 Documents/statutes contributing to contemporary policy/legal discourses

As intimated, contemporary prostitution policy discourses are said to rely heavily on the invocation of a vulnerable and victimized subject (see Carline, 2012; Munro & Scoular, 2012; Phoenix, 2005; Sanders, 2005). For example, Scoular and O'Neill suggest that women in prostitution are represented as having “universal victim status” (2007, p. 618), whilst Carline suggests that “the only way women were presented in [policy] debates was as victims” (2011, p. 320). On analysing these discourses, a number of commentators have observed that they pay little to no regard to a rights based sex-work discourse (Kantola & Squires, 2004; Sanders, 2005; Scoular & O'Neill, 2007) – one which frames the choice to sell sex as rational, and the ‘problem’ of prostitution as its continued de-legitimation. Further, some have suggested that abolitionist feminism may have influenced dominant policy narratives (Brooks-Gordon, 2010; Kantola & Squires, 2004; Munro & Scoular, 2012). Certainly, and as will be evidenced in Chapter Two, there are similarities between contemporary discourses and some abolitionist discourses – most notably with regard to representations which depict women as victims of prostitution. With that said, any such influence is (generally) conceived to be partial, at most. For instance, Munro & Scoular suggest that whilst abolitionist feminist discourses “are undoubtedly playing a key role in framing contemporary responses” (Munro & Scoular, 2012, p. 198), their influence should be understood by reference to broader discursive trends (e.g. neoliberalism). Similarly, Kantola & Squires suggest that “the fact that the sexual domination discourse is...compatible with the moral order discourse” (2004, p. 90) may explain any apparent influence. Relatedly, it has been suggested that discourses of victimhood function as rhetorical devices, deployed to justify punitive and neoliberal policy regimes (Carline, 2012; Munro & Scoular, 2012; Scoular & O'Neill, 2007). Carline (2012) – drawing on a Butlerian analysis – suggests that government frames of vulnerability, devised to induce a desired ‘affect’, begin to breakdown when confronted with the methods of redress used to tackle prostitution (e.g. criminalisation). Similarly, Munro & Scoular suggest that in deploying the mutable concept of ‘vulnerability’, central government is able to frame itself as a “benevolent force” (2012, p. 191) whilst simultaneously justifying the introduction of neoliberal policy regimes – characterised by an increase in punitive sanctions, conditional forms of citizen, and hyper-responsibilization. Here, I explore this proposition in more depth.

Numerous academic commentators have argued that contemporary governance of prostitution relies significantly on discourses, and processes, of individualisation and responsabilization (Carline, 2012; Munro & Scoular, 2012; Phoenix, 2005; Scott, 2011; Scoular & O'Neill, 2007). Discursively, this is achieved by framing the ‘problem’ of prostitution (and the victimization/vulnerability it contains) in individualising terms, and by proposing ameliorative action which focus on the conduct of the subject. To illustrate, Phoenix (2005) explores how policies focus on matters such as debt rather than poverty, and thus legitimize interventions which concentrate on financial management rather than structural modes of amelioration. Similarly, Scoular and O'Neill (2007) explore how policy discussions of homelessness and low educational attainment are used to justify responsabilization rather than a more radical social agenda. Indeed, many critical theorists posit that this individualisation has come at the expense of a more nuanced and progressive

account of the complex social inequalities and conditions which structure women's routes into prostitution, and the industry itself (see Munro & Scoular, 2012; O'Neill, 2010; Phoenix, 2005; Scoular & Carline, 2014; Scoular & O'Neill, 2007). Thus, though discourses of public nuisance and more contemporary offerings propose distinct definitions of what constitutes the 'problem' of prostitution – both have been criticised for focusing on its 'downstream' manifestations. Relatedly, Phoenix explores the very significant space '*Paying the Price*' dedicates to the role of third party coercers and abusers, who are understood to force women into selling sex. This, she evidences, marks a departure from previous (Wolfenden-based) conceptions of third party involvement in prostitution – which framed pimps as partners, rather than bullies. Policy-makers, Phoenix suggests, frame prostitution as a problem of hyper-masculine criminals, forcing women into an industry they did not choose and do not desire. This, Phoenix suggests, evidences a narrowly individualised conceptualisation of voluntarism and choice – the progressive spectre of the "voluntary victim" (2005, p. 97), she suggests, is exiled.

Materially, individualisation and responsabilization are achieved through an "enforcement plus support" (Phoenix, 2005, p. 98) approach which conjoins criminal justice, and welfarist, interventions in an attempt to dis-incentivise 'undesirable' behaviour and cajole preferred forms of citizenship into existence (Scott, 2011; Scoular & Carline, 2014; Scoular & O'Neill, 2007). *s.17 Policing and Crime Act 2009* (enacted pursuant to the recommendations of *Tackling Demand*) provides courts with the power to compel women to attend meetings designed to "(a) address the causes of the conduct constituting the offence, and (b) find ways to cease engaging in such conduct in the future". Sentenced women are required to meet with a worker on three separate occasions, in order to commence 'exiting'. Failure to comply with the terms of an order can result in escalation to punitive sanctions (e.g. fines/imprisonment): Phoenix aptly titles one of her contributions, *Be Helped, or Else!* (2013). Programmes of this kind are generally delivered by third sector organisations with a previously established specialism in front-line service provision for women in prostitution (Scoular & Carline, 2014). Here, then, it is felt that the 'causes' of a woman's 'conduct' (as cited in s.17) can be dealt with by addressing the woman herself. In turn, these approaches "operate to co-opt (the) subjectivity" (Scoular & O'Neill, 2007, p. 767) of the individual - making her both the subject and object of her governance (Oksala, 2013; Phoenix, 2007; Scott, 2011). This, then, frames the state as "facilitator and educator" (Scoular & O'Neill, 2007, p. 772), rather than 'protector and safety net'. Notably, this is in keeping with broader neoliberal policy preferences (see Biebricher & Johnson, 2012). In sum, welfarist programs designed to create self-governing, responsible citizens who desist from criminal activity have become a central plank in contemporary prostitution policy.

These developments, Scott (2011), Phoenix (2007), and Scoular and O'Neill (2007) suggest, should be understood by reference to their broader political context, which reflect, the latter authors suggest, a "wider context of progressive governance" used by New Labour to "facilitate social inclusion via techniques of risk management and responsabilization" (2007, p. 764). Indeed, contemporary policy interventions into prostitution, at least partially mirror the neoliberal technologies of conditionality and contractarianism, which increasingly inform approaches to welfare provision in the UK (see Department for Work and Pensions, 2010). Furthermore, Scott and Phoenix, explore how multi-agency involvement with women in prostitution, and related forms of neoliberal governance, are historically grounded in third sector responses to the 1980/90s HIV/AIDs crisis. Scott argues that early modern responses to prostitution sought primarily to punish the subject, but paid little regard to her redemption; but that, with the advent of systematic public health interventions (which somewhat stabilised during the AIDs epidemic) prostitution's governance was transformed. At this time, women selling sex were invited to become accomplices in their own regulation, to become invested in operations of power and to – in turn – become responsible citizens. Even when

perceived as victims of circumstance or abuse, Scott suggests, “at-risk individuals must be willing to do something about their vulnerability, to monitor and confront personalised deficiency in an effort to avoid danger” (2011, p. 64). Echoing this position, Phoenix (2007) argues that, the 1980s witnessed a growth in ‘governance from below’ - epitomised by the activities of sexual health and outreach programmes, which sought to regulate the health and safety of the woman in prostitution through treatment, education and support. In more recent years, she goes on to explain, such programmes have been brought into more intimate dialogue with traditional institutions of governance and have, subsequently, been hybridised. Indeed, the compulsory therapeutic interventions – mandated by government/the courts, and delivered via specialist front line organisations – provide an apt illustration of this point.

Thus, contemporary discourses simultaneously represent prostitution as victimization, and as a matter of individual responsibility; simultaneously advocate rescue through welfarism, and punishment through criminalisation. These seemingly contradictory narratives have been explained by references to moral authoritarianism (Phoenix, 2007), the organising principles of neoliberalism (Scoular & O’Neill, 2007) and the discursively heterogeneous character of the political field (Scott, 2011). Whatever their aetiology, they create a complex, multi-layered landscape of governance which, it has been argued, favours downstream interventions over more holistic social change. Importantly, this is the policy context which provides the immediate background to much of this thesis. In what follows, I survey another narrative which has been identified as contributing to this context.

The Problem of Men

A number of academic contributors contend that men who buy sex – a cohort historically paid little mind (Carline, 2011; Laite, 2006) – have been accorded a central position in contemporary prostitution policy debates. To illustrate, Scoular and Carline write that, within contemporary policies, “men [have been] constructed as the problem, and consequently the aim [has been] to shift the burden of criminal justice interventions from sellers on to buyers” (2014, p. 611); whilst Brooks-Gordon claims that, Westminster policy-actors rely on “grotesque caricatures of abusive clients” (2010, p. 150) to implicitly gender purportedly de-gendered statutory provisions. Whilst such observations pertain to a broad slew of policies, they frequently focus on *Tackling Demand* and its legislative consequences, as well as contemporary treatment of kerb-crawling offenders. Here, I briefly survey academic discussions of each.

With regard to kerb-crawling, Sanders (2009) and Brooks Gordon (2005, 2010) both explore, and critique, what they perceive to be the increasing disconnect between the purported purpose of the offence (tackling public nuisance) and the way convicted offenders are dealt with. In brief, they highlight how kerb-crawling diversionary programmes (colloquially, ‘John Schools’) pay limited regard to nuisance and undue regard to dissuading men from sex-buying altogether. Indeed, *Paying the Price* claims that kerb-crawling rehabilitation classes generally involve “presentations on the problematic drug use of many of those involved (in prostitution), health risks, and the risks of prosecution” (Home Office, 2004, p. 67). “John schools” Brooks-Gordon claims, “represent a slippage between the offence and the response to that offence” (2005 n.p.). If kerb-crawling were considered a matter of public nuisance, Sanders and Brooks-Gordon speculate, rehabilitation efforts would focus on where best to buy sex without causing disruption to local communities. “Stopping the activity of kerb-crawling”, Sanders advises, “can only be done by allowing men to exercise their legal choices in other markets” (2009, p. 86). What this slippage between stated aims and material enforcement evidences, it is suggested, is an increasing problematisation of men’s role in the sex trade – one which frames clients as exploitative abusers, rather than legitimate consumers.

Similar critiques have been directed at the contents and legislative consequences of *Tackling Demand*. This policy, in concert with broader trends, relies heavily on the figure of a vulnerable victim; subjected to interpersonal violence from third party coercers (Anna Carline, 2011; Charman, 2008). It is distinct, however, in its primary focus: namely, demand side activities. Most notably, the recommendations endorsed by *Tackling Demand* led to the introduction of s.14 *Policing and Crime Act 2009* - a highly controversial offence which criminalises the purchase of sex from women who have been subject to the exploitative conduct of a third party (Brooks-Gordon, 2010; Anna Carline, 2011; Editorial, 2010; Home Office, 2014). This offence has been forcefully critiqued on two grounds. First, numerous commentators find the criminalisation of buying sex politically reprehensible: an Editorial in the Criminal Law Review suggests that s.14 “goes too far” (2010 n.p.) before moving on to suggest it would be “better policy...to prosecute” the third party coercer and “not the possibly unfortunate client” (2010 n.p.) I find this logic a little curious, as prosecuting clients would not preclude a court from prosecuting third-party coercers, under the raft of offences designed for related conduct. Indeed, the editor’s rationale is best summed up with the claim that buying sex “does not and should not constitute a moral wrong” (2010 n.p.). In a similar vein, writers such as Carline (2011) and Brooks-Gordon (2010) protest what they perceive to be the homogenising and ill-conceived representations of sex-buyers used to justify criminalisation. Brooks-Gordon objects to characterisations of clients in the policy, which she feels rely on notions of violence, abuse and exploitation – countering them by highlighting what she perceives to be the telling diversity of client populations. In an attempt to emphasise the relative inoffensiveness of such men, Brooks-Gordon pays particular regard to the number of disabled men who buy sex. I will confess to finding this rhetorical technique troubling, in that it appears to rely on the regressively infantilising notion that the physically disabled are *necessarily* non-abusive. In any event, Carline, in a somewhat contrasting vein, argues that the sex buyer remains “completely invisible and unknowable” (2011, p. 74) within *Tackling Demand*, and that the authors made few efforts to explore the nature of the subject or his actions. This, incidentally, is an assessment I sympathise with, and a mantle I take up in Chapter Eight. Perhaps all the more controversial, however, is that the offence is one of *strict liability*. Whilst the vast majority of criminal offences require evidence regarding a defendant’s ‘mens rea’ (e.g. guilty mind), sex-buyers can be found guilty of a section 14 offence, regardless of whether or not they knew the women they were transacting with were subject to exploitative conduct. On this ground, s.14 has incited significant concern - particularly on behalf of men ‘innocently’ enjoying the sex trade, now at risk of unearned punitive attention (see Editorial, 2010).

Whilst it is very clearly the case that there has been – since the advent of kerb-crawling offences in the mid-1980s - an increasing interest in, and problematisation of, men who buy sex, I would suggest that the above commentary should be tempered by a more granular and careful analysis of how, precisely, such subjects are framed. Indeed, I would be far more inclined to agree with Phoenix, who argued – following the publication of *Paying the Price* - that prostitution was framed as a problem of hyper-masculine *third parties* and with the broader thesis of her book “that the official discourse of sex is a symbolic landscape that erases the material realities of ‘the problem of men’ via the deployment of sliding notions of ‘victims’...(and) ‘abuse’” (2005, p. 70). This is a matter I attend to in Chapter Eight – arguing that despite the increased criminalisation of offences associated with buying sex, by problematizing ‘demand’ (rather than sex buying per se) relevant policies avoid directly confronting the possible ‘problem of men’.

In summary: Westminster Prostitution Policy

The above literature review, suggests that prostitution policy discourses have changed significantly over the last twenty or so years. Whilst previous incarnations were characterised by concerns regarding public nuisance, more recent narratives have stressed the relative victimhood and vulnerability of women selling

sex. Subsequently, there appears to be a growing sense, amongst academic commentators, that the victim-subject of prostitution provides both a valuable rhetorical device and a discursive space for governments, within which they are able to justify an array of punitive and neoliberal policy measures. Prostitution now appears to be conceived of in social terms (insofar as it is represented as demanding government attention) and individual terms (insofar as remedial action is demanded from the subject herself). Here, the internal paradox of neoliberalism is identifiable – it is an essentially interventionist project, organised around a celebration of freedom and personal responsibility. In Chapter Two, I explore many of these points in more detail. First, however, I discuss the other policy field explored within this thesis.

1.3.2 The Violence against Women and Girls Agenda

The 1960s bore witness to a burgeoning feminist movement constituted through “a mixture of activism, political work, policy development and research” (Hearn, Strid, Husu, & Verloo, 2016, p. 552). Alongside demands for equal pay and sexual freedom, ‘second wave feminism’ sought to expose the prevalence of VAWG (Chavis & Hill, 2008; Corradi & Stockl, 2016; Kelly, 1988a; Mackay, 2010; Mooney, 2000; Reingardien, 2004). Initially, attention centred on the alarming commonality of gendered ‘intimate partner violence’ (IPV). Within the UK this led to the emergence of the ‘battered women’s movement’ towards the end of the 1960s (Alldred & Biglia, 2015; Dobash & Dobash, 1979; Reingardien, 2004) and the first of many specialist shelters in 1972 (Corradi & Stockl, 2016; Hearn et al., 2016). That “women flocked to [them]” (Mooney, 2000, p. 74) was viewed as indicative of their relative necessity. Over time, movement members broadened the scope of their activism, and began to problematize violence understood to share instrumental facets with IPV (Kelly, 1988; Mooney, 2000). They sought to address violence “directed towards women because they are women” (Hearn et al., 2016, p. 552). On a more abstracted level, feminist activists sought to problematize dominant frames of violence, frames which relied on pathologisations of individual behaviour (Lawson, 2012) and masculine definitions of harm (Easteal et al., 2012; Hearn et al., 2016). In turn, they sought to challenge the liberal privatization of violence, and to promote a more social framing (Erturk & Purkayastha, 2012; Lawson, 2012; Qureshi, 2013; Yodanis, 2004). These are matters I discuss at length in Chapter Three.

In what follows, I explore various dimensions of the VAWG agenda as it pertains to this thesis, in order to foreground discussions in Chapters Three, Nine and Ten, and to begin the work of addressing my second research question, e.g. ‘how do policy actors and documents variously include/exclude prostitution from narratives of VAWG’. To begin, I discuss whether prostitution has been included within VAWG narratives by feminist theorists. Following this, I briefly survey international VAWG policy, before moving on to discuss the specificities of the English policy context. I conclude this section by discussing prostitution inclusion within domestic VAWG policies and, in so doing, identify a research lacuna.

Prostitution as VAWG

A survey of academic literature on prostitution, and related discourses, would suggest that abolitionist feminism is fundamentally premised on a belief that prostitution is VAWG (Barry, 1996; Comte, 2013; Dworkin, 1993; Farley & Kelly, 2000; FitzGerald, 2012; Jeffreys, 2008; Scoular & Carline, 2014; Shrage, 2012; Weitzer, 2005). Comte claims that abolitionists “always” frame prostitution “as violence against women (and children) by means of their sexual and economic exploitation” (2013, p. 209), whilst Scoular and Carline suggest that abolitionists “equate all forms of prostitution with violence against women” (2014, p. 612). Similarly, FitzGerald claims that abolitionists treat prostitution as “evidence of continued patriarchal cultures of violence against women” (2012, p. 228), whilst Tyler suggests that radical feminists view “the

sex required in systems and institutions of prostitution...as objectifying and dehumanizing....and even as a form of violence against women” (2012, p. 88). Indeed, there are many abolitionist feminists who make explicit claims of this nature. Farley and Kelly call for “prostitution (to) be exposed for what it really is: a particularly lethal form of male violence against women” (2000, p. 54); whilst Jeffreys argues that her work evidences “the appropriateness and importance of including prostitution in feminist human rights theory and activism against violence against women” (2008, p. 276). Furthermore, there are those who, whilst not deploying the phrase ‘VAWG’ explicitly, appear to invoke it nonetheless. Dworkin claims that “prostitution per se, without more violence, without extra violence, without a woman being hit, without a woman being pushed...in and of itself is an abuse of a woman's body” (1993 n.p.).

With that said, I would suggest that there would be some merit to unpacking/examining *precisely* what abolitionists mean when they promote related classifications, and exploring whether abolitionist VAWG narratives are homogeneous. I would contend that a close reading of key texts indicates support for prostitution’s inclusion in VAWG policy narratives is neither absolute nor homogeneous. By way of example, to my knowledge, neither Pateman (1983, 1988), nor Radin (1987) (both notable abolitionists) make any mention of VAWG whatsoever. That is not to say that the narratives they offer are incompatible with related framings (both focus on the inviolability of certain bodily rights), but rather that their positions on such classifications remain unclear. Furthermore, there is variance in the narratives tendered by those who hold that prostitution *is* violence per se. Some more radical commentators hold that prostitution is synonymous with rape (Dworkin, 1993; MacKinnon, 2011); whilst others appear to frame physical, sexual and emotional violence as *so endemic* to prostitution as to become integral to it (Farley, 2004; Farley & Kelly, 2000). Others, still, suggest that prostitution is a form of *sexual exploitation* (Barry, 1997; Jeffreys, 2008; Raymond, 1998; Wilson, Critelli, & Rittner, 2015).

Within these more specific characterisations of prostitution, further heterogeneity is detectable. For example, the term ‘sexual exploitation’ appears to cause some definitional difficulty, not least because it is so often used in specific reference to children (Agustin, 2001; Alldred & Biglia, 2015; Dodsworth, 2014). For example, Barry favours the following broad and tautological definition of sexual exploitation:

“a practice by which a person achieves sexual gratification, financial gain or advancement through the abuse or exploitation of a person’s sexuality by abrogating that person’s human right to dignity, equality, autonomy and physical well-being” (1996, p. 326)

Comparatively, a UN bulletin on peacekeeper conduct suggests that sexual exploitation is:

“any actual or attempted abuse of a position of vulnerability, differential power, or trust, for sexual purposes, including, but not limited to, profiting monetarily, socially or politically from the sexual exploitation of another.” (UNHCR, 2003, p. 1)

So, whilst the UN clearly places definitional weight on the existence of power asymmetries, Barry appears more concerned with bodily/symbolic violation. In contrast, domestic legislation, despite criminalising an array of third-party prostitution offences in the hopes of preventing and/or punishing ‘sexual exploitation’ (see SOA 2003; Home Office, 2001) - remains vague regarding what it understands the term to mean. In the SOA 2003 consultation document *Setting the Boundaries: Reforming the Law on Sexual Offences* (Home Office, 2001), it is claimed that sexual exploitation is committed by “those who exploit others by receiving money” but later suggests that exploitation involves “abuse, pressure, force, deception and coercion” (2001, p. 116). Notably, the Crown Prosecution Service (2008) classifies offences of ‘sexual exploitation’ as forms of VAWG. Thus, though an array of interested parties may support a ‘sexual exploitation’ framing of

prostitution, and subsequently characterise related behaviour as VAWG, there appears to be limited consensus as to the precise nature of the phenomenon.

Building on this, a close reading of a number of texts evidences that prostitution's inclusion in VAWG suffers from framing *instability* within seemingly related bodies of thought. Whilst Barry (1997) suggests that “sexual exploitation objectifies women by reducing them to sex; sex that incites violence against women”; Wilson and colleagues (quoting Barry's definition) claim that sexual exploitation “is one of the most destructive forms of violence against women and girls” (2015, p. 71). Here, then, we have moved from a framing of prostitution as causally complicit in VAWG, to a frame which classifies prostitution as VAWG *per se*. A similar vacillation occurred in Swedish approaches to VAWG. Though the Swedish government famously criminalised sex buying in a 1999 “omnibus bill against violence against women and girls” (Waltman, 2011, p. 449), it did not, initially, claim that prostitution was violence in and of itself (Florin, 2012; MacKinnon, 2011; Waltman, 2011). In justifying criminalisation, Swedish authorities claimed the sale of sex and VAWG were:

“Issues that in major parts pertain to relationships between men and women, relationships that have significance for sex equality, in the particular case as well as in the community at large. In this way the issues **can be said to be related with each other.**” (emphasis added) (Proposition 1997/98:55 Kvinnofrid quoted in, MacKinnon, 2011, p. 301).

However, in 2002 Swedish equality policy claimed prostitution was “men's sexualized violence against women” (quoted in Florin, 2012, p. 272). Here, a relative intensification of inclusion has occurred – whilst prostitution was initially conceived as interrelated with violence, later policy proclamations present it as violence *per se*.

Thus, whilst there are clear grounds on which to suggest abolitionist feminists favour a VAWG framing of prostitution, there appear to be strong grounds from which to contend that related positions are complicated/heterogeneous. This presents something of an analytical invitation. Accordingly, in Chapter Ten, I explore this theme through an analysis of generated data – exploring not only whether policy-actors and documents conceive of prostitution as VAWG, but the intricacies of narratives promoting inclusion. In so doing, I highlight a number of theoretically and politically salient framing contests/disputes, as well as broader framing instabilities. In what follows, however, I wish to briefly discuss international and domestic VAWG policy in generic terms, before moving on to discuss prostitution's inclusion within them.

International Policy

In their efforts to challenge dominant frames of violence, feminist activists have sought to disrupt the jurisprudential underpinning of the international human rights framework. Much like public nuisance legislation, human rights have traditionally been predicated on the doctrine of separate spheres (Erturk & Purkayastha, 2012; Qureshi, 2013; True, 2010). Concerned commentators argued that, in focusing human rights protections on the vertical relationship between state and citizen, related legislative efforts failed to address the greatest harms suffered by women: harms visited upon them in the private realm, by private citizens. Due in large part to such activism, the United Nations adopted the “*Declaration on the Elimination of Violence against Women*” (DEVAW) in 1993. (Kelly et al., 2000). DEVAW explicitly articulated a feminist sociological model of violence (discussed in Chapter Three) and, in so doing, situated instances of VAWG in their socio-political context. For example, the declaration states that:

“Violence against women is a manifestation of historically unequal power relations between men and women, which have led to the domination over and discrimination against women by men..... and that violence against women is one of the crucial social

mechanisms by which women are forced into a subordinate position compared with men”
(United Nations, 1993 n.p.)

By describing VAWG as a “crucial social mechanism” and a “manifestation of historically unequal power relations”, DEVAW marked something of a departure from traditional (liberal) human rights rhetoric, which primarily problematized discrete episodes of harm perpetrated by civil/political actors (Erturk & Purkayastha, 2012).

DEVAW is just one notable example of a slew of international and supranational policy instruments, or ‘soft laws’ (Alldred & Biglia, 2015), which created varying degrees of obligation for Westminster governments, with regard to VAWG. To illustrate, in 2010, the UN Human Rights Council passed a resolution entitled “Accelerating efforts to eliminate all forms of violence against women and girls: ensuring due diligence in prevention” and in 2011 the Council of Europe adopted the Convention on Combating and Preventing Violence against Women and Domestic Violence (Bonita, 2012; Dustin, Shepherd, & End Violence Against Women Campaign, 2013).

Domestic Policy

A diverse and compelling body of academic literature addresses different dimensions of UK and English VAWG policy and law. A number of cross-country comparative studies evaluate UK and English policy regimes by reference to other European Union Members (see Alldred & Biglia, 2015; Corradi & Stockl, 2016; Corradi & Stöckl, 2014; Hearn et al., 2016). One notable third sector report evaluates government policy addressing the spectrum of VAWG types (Dustin et al., 2013) and a number of salient works touch upon policy responses to specific forms of violence, e.g. IPV (Gadd, 2012; Howe, 2006). Notably, all of these studies explicitly favour policies which are gendered, which problematize power dynamics and structurally ingrained inequality, and which situate individual instances of VAWG accordingly (see Chapter Three). In turn, they apply an evaluative schema, reflective of such principles, to domestic policy. In what follows, I briefly trace the recent history of domestic VAWG policy in England and, in so doing, scrutinize the most salient findings within such literature.

The implementation of comprehensive domestic VAWG policies and strategies is, in relative terms, a modern phenomenon. Policy documents addressing siloed forms of gendered violence (e.g. IPV) became increasingly prevalent from the late 1970s onwards, though the degree to which such policies deployed a gendered frame to contextualise such violence oscillated (Charles & Mackay, 2013; Dustin et al., 2013; Hearn et al., 2016; Howe, 2006). The first comprehensive VAWG policy, designed to address a broad range of relevant violence types was not, however, published until 2009 (Dustin et al., 2013; HM Government, 2009; Strid, Walby, & Armstrong, 2014). This New Labour policy, entitled *Together We Can End Violence against Women and Girls* (HM Government, 2009), was “short lived” (Gadd, 2012, p. 506). In 2010 the Conservative-Liberal Democrat Coalition published their comprehensive policy, *Call to End Violence against Women and Girls* (2010a). This was, in turn, followed by a number of related updates and action plans (see HM Government, 2010b, 2012). In a vein dissimilar to many of their national contemporaries (e.g. in Sweden and USA), Westminster governments have not adopted one comprehensive piece of legislation designed to tackle VAWG. Rather, they have enacted a number of statutes addressing various manifestations of the same (Alldred & Biglia, 2015; Hearn et al., 2016). In Part Five, I perform an in-depth documentary analysis of the policy documents, alluded to above. In what follows, I explore extant academic observations and critiques of this policy field.

A number of the evaluative comparative studies cited above - studies which take a more telescopic than microscopic approach to surveying policy regimes (Corradi & Stockl, 2016) - appear relatively optimistic about English VAWG policy. Hearn and colleagues suggest that English VAWG policy has grown increasingly gendered over time, and that related documents frame gendered violence as “violations of women’s human rights, and as forms of oppression of women that support gender inequality” (2016, p. 556). Research exploring more granular dimensions of recent VAWG policy appear less sanguine. Dustin and colleagues (2013), and Gadd (2012), admonish the Coalition government for failing to adequately fund relevant service provision, and for dismantling and weakening much of the policy machinery assuring continued development of, and compliance with, existing policy, e.g. Women’s National Commission (disbanded). Furthermore, many have argued that frontline service provision is geographically asymmetric, creating a postcode lottery (Alldred & Biglia, 2015; Coy, Kelly, Foord, & End Violence Against Women Campaign, 2007). In addition, Gadd, in contradiction to Hearn’s contention that policy has become increasingly gendered, argues that Coalition policy fails to problematize the behaviour of men as thoroughly as its New Labour predecessor. Building on this, Alldred and Biglia express concern that many salient statutory provisions are de-gendered. They suggest, that this de-gendering is consequent to the UK’s broader legislative approach to equality, which favours gender neutrality and inclusivity over gender sensitivity. In turn, they suggest, “the law cannot take into account gendered relations of power in either the diagnosis or the prognosis of [a] problem” (Alldred & Biglia, 2015, p. 666) and therefore necessarily promotes a more individualised framing.

In summary, whilst Westminster governments were – in the 1970s - early leaders in the promotion of VAWG policies (Corradi & Stockl, 2016; Corradi & Stöckl, 2014), and whilst they have since implemented both a desirably aggregated approach and established a variety of front-line services, their contemporary efforts have drawn significant criticism. Most notably, academic commentators have critiqued English policy-actors for: exhibiting an insufficient commitment towards gender framing; poor and uneven service provision; and the dissolution of essential policy technologies. I revisit these critiques in my documentary analysis in Part Five. In what follows, however, I explore prostitution’s various inclusion within, and exclusion from, relevant international and UK VAWG policies.

Prostitution’s Inclusion in Narratives of VAWG

Prostitution has been variously included/excluded from salient international, domestic and regional VAWG policy instruments. To illustrate, forced (but not voluntary) prostitution appears in DEVAW (United Nations, 1993) but receives no mention in the Council of Europe’s *Convention on preventing and combating violence against women and domestic violence* (Bonita, 2012). Prostitution, broadly construed, appeared in the New Labour VAWG policy (HM Government, 2009), but was omitted from its Coalition successor (HM Government, 2010a). The Crown Prosecution Service (2008) classifies prostitution as a form of VAWG, as did the Association of Chief Police Officers (2009), prior to its dissolution. Some local authorities, e.g. Lambeth (2011), include prostitution within their VAWG strategies, whilst others, e.g. Trafford (2011), do not. Thus, prostitution’s framing, in this regard, appears unstable and contested. Interestingly, however, my research suggests that no academic work has been published regarding prostitution’s inclusion/exclusion from VAWG policies in England. Whilst Hearn and colleagues do very briefly address the topic, they say only that, “prostitution is not framed as a form of violence” (2016, p. 556). In addition, whilst Alldred & Biglia (2015) explore Westminster legislative responses to ‘sexual exploitation’, they do so only as they pertain to children, and with no specific mention of prostitution per se.

That being said, there are a number of notable academic contributions which explore prostitution's inclusion in international and supranational VAWG policies (Agustin, 2001; Askola, 2007; Raymond, 1998). Furthermore, the Swedish government's decision to criminalise prostitution within legislation designed to tackle VAWG (as above) has been subject to fairly extensive academic scrutiny (see Florin, 2012; Harrington, 2012; Waltman, 2011). And though these studies pertain to distinct legislative and material contexts - contexts falling beyond the purview of this thesis – they possess theoretical utility. Indeed, in lieu of more substantively relevant publications, surveying work performed on international and foreign politics provides some degree of theoretical sensitisation. In turn, such sensitisation allows me to develop a more sophisticated approach to my analysis of domestic policy, in Part Four. Here, then, I survey a number of notable trends and themes within the works cited above.

Voluntary v Forced Prostitution

Echoing the discursive tensions alluded to in my exploration of trafficking narratives, academic commentators writing on prostitution's inclusion within VAWG policy narratives very frequently report on, or engage in, framing disputes regarding agency (Agustin, 2001; Askola, 2007; Florin, 2012; Raymond, 1998; Waltman, 2011). Raymond (1998) laments the tendency of international organisations (e.g. UN), and related NGOs, to differentiate between forced prostitution and voluntary prostitution. In turn, she suggests, that this “revises the harm that is done to women in prostitution into a consenting act” and therefore “excludes prostitution from the category of violence against women” (Raymond, 1998, p. 1). Similarly, Waltman suggests that “Sweden is still dealing with some of the myths about *consensual* prostitution encountered everywhere” (2011, p. 465) (emphasis added). Conversely, Agustin suggests that in promoting a ‘sexual exploitation’ framing of prostitution, VAWG activists working within the European Union “make ‘voluntary prostitution’ impossible” and, in so doing, “totalize a variety of situations involving different levels of personal will” (2001, p. 207). Similarly, Florin suggests that frames which classify prostitution as VAWG “may be upsetting” for those whose “agency is being disclaimed or minimized” (2012, p. 276). Here, then, VAWG is ostensibly viewed as a phenomenon which necessarily implicates questions of choice, consent and their curtailment. VAWG, according to this construction, cannot be consented to.

In light of this, the observations of Swedish scholars regarding their nation's prostitution policy, and its material effects, become all the more notable. In brief, some such scholars evidence how political objectives organised around a desire to challenge the social aetiology of VAWG, prove somewhat difficult when brought into contact with a criminal justice system principally designed to address the conduct of individuals. Florin explains that:

“The justification for criminalising sex purchases encompasses several aims, most of which have little immediate bearing on people who are presently selling sex. These include contributing to long-term norm building in the entire population, making a statement about Sweden's position in international debates, and maintaining a stance towards foreign sex business agents who might consider the country a market for expansion” (2012, p. 271)

The “long-term” norms alluded to are those regarding gendered violence, and gender inequality more broadly. In turn, Florin and Waltman (2011) highlight how Swedish law is predicated on the assumption that women ostensibly choose to sell sex and how, in turn, prostitution is understood to “generate victims by analogy and from a structural viewpoint only” (Florin, 2012, p. 273). They go on to evidence how this ruptures certain facets of criminal justice logic and, in so doing, creates seemingly contradictory scenarios – scenarios in which women are unable to draw on the legal personality of an injured claimant and are therefore prevented from seeking compensation; in which women can be taxed on the proceeds of

something ostensibly criminal; and in which women can be framed as accessories to, and indeed perpetrators of, the violence to which they are subject. To illustrate, Florin suggests that “if prostitution is violence against women as a collective, then individual women can actively contribute to that violence” (2012, p. 276).

My work, in contributions which begin to fill the highlighted research lacuna, identifies similar themes within English policy discourses. In Chapters Nine and Ten, I explore the way policy actors and documents conceive of agency and consent, when discussing prostitution’s inclusion in, or exclusion from, VAWG narratives and domestic policies. Through an analysis of my findings, I evidence that the relationship between consent, prostitution and violence is – as here - contested. In turn, and in accord with Florin and Whitman’s observations of Swedish policy discourses, I evidence that many abolitionists view prostitution to be worthy of inclusion in VAWG policies, insofar as it is understood to harm women as a ‘class’.

Gender

Framing contests regarding the explanatory merit of gender, with regard to prostitution, and the implications of gendered analyses appear common (Agustin, 2001; Askola, 2007; Florin, 2012; Wilson et al., 2015). Agustin suggests that VAWG framings of prostitution, promoted within the European Union, have worked to “obscure the role of the many women who participate in exploitation....as well as disappearing the fate of many male victims who deserve to be seen as needing support or help” (Agustin, 2001, p. 110). In line with this position, Florin suggests that the Swedish commitment to framing prostitution as VAWG has created tensions with service providers who are:

“...governed by the basic principles of inclusion and impartial assessment....accordingly, welfare professionals must take into consideration variations in sex trade experiences, for instance, in terms of gender and sexual orientation. A narrow view of prostitution as heterosexual female subordination/male dominance is thus at odds with these principles.” (2012, p. 276)

Conversely, both Raymond (1998) and Askola (2007) – writing in reference to international and European policy spaces respectively – suggest that governmental and third sector organisations refuse to embrace sufficiently gendered frames. Askola claims that, within Europe, sexual exploitation is “still not framed as a phenomenon of gender....inequality” (2007, p. 204), whilst Raymond suggests that disproportionate levels of attention are paid to women who sell sex, whilst male ‘customers’ are discursively ignored, invisibilised and thus become “silent participant(s)”. In turn, she calls for a greater focus on the latter.

Again, my work identifies themes of this nature within English prostitution policy discourses. Disagreements regarding the gendered nature of prostitution, and the subsequent appropriateness of its inclusion within narratives specifically designed to address violence perpetrated against women, are evident within the interpretations and representations of the policy documents and actors studied. These are matters I discuss in Chapters Eight, Nine and Ten.

Punitive v Progressive

Finally, a number of academics express concern regarding the punitive potential of VAWG narratives, and call for an appreciation of its more progressive facets (Agustin, 2001; Askola, 2007; Florin, 2012). Agustin laments that in “constructing a victim” VAWG narratives “also construct a victimizer – the exploiter, the bad person” and therefore legitimise an ineffectual “discipline-and punishment model” (2001, p. 108). In turn, Florin (2012) suggests that Swedish VAWG/prostitution policies have legitimated an over-focus on criminal justice outcomes, and a relative neglect of welfare provision. This, he suggests, may result from

the deployment of an overly individualist interpretation of policy supposedly designed to address socio-cultural phenomena. Similarly, Askola (2007) highlights the EUs excessive reliance on punitive (e.g. immigration-centric) interventions, with regard to trafficking for sexual exploitation, though – notably – suggests that this results from an insufficient concern for prostitution's relationship to VAWG, rather than undue regard.

Whilst concerns over excessively punitive urges were not strong within the representations of prostitution promoted by policy actors and documents within this research, the relative appropriateness of constructing women as victims and buyers as perpetrators was discussed in both general terms (see Part Three) and with regard to VAWG narratives (see Part Four). Thus, whilst little to no work has been performed on prostitution's inclusion within English VAWG policy discourses, my thesis evidences that there are strong parallels between such discourses, broader academic critiques, and themes apparent within international polities.

In Summary: The Violence against Women Agenda:

Whilst the VAWG agenda grew from the work of second wave feminist activists, it has since become the concern of policy-actors working within an array of international, supranational, and domestic governmental bodies. As highlighted within my discussion of English VAWG policy, the degree to which feminist framing demands are met (e.g. regarding gendering) varies, as do commitments to an array of related discursive and material matters. And, how prostitution is conceived – and to what degree it is brought into dialogue with policy narratives of gendered violence – is contentious and changeable. These are matters I discuss in more depth in Chapters Three, Nine and Ten.

1.4 Limitations

In what follows, I outline some of the most notable limitations of this thesis. Most are the consequence of rationed resources –material and otherwise. These, then, could be addressed with further study.

In her work on policy-discourse, Bacchi (2012) encourages theorists to consider six inter-related questions (discussed further in Chapter Four). This thesis explores only four such questions, and is limited in that regard: for whilst it seeks to understand what the problem is represented to be, what assumptions underpin the representation of the problem, which potential representations are silenced, and how representations have been articulated/countered; it does not seek to trace the genealogy of representations and it does not seek to measure the effects of discourse. It therefore provides, at least with regard to data analysis, a bounded 'snapshot' of prostitution policy discourses. There are existing research products which address the genealogy of discourses studied (Walkowitz, 2016), and their material effects (see Scoular & Carline, 2014), but more work in this area might well enrich the field further.

Substantively, this thesis is limited to an exploration of interpretations and representations of cis women who sell sex in heterosexual markets. I do not, therefore, explore related interpretations and representations of phenomena such as child prostitution, trafficking, queer prostitution, or men who sell sex. I neglect child prostitution and trafficking as both phenomena invoke distinct issues, policies and laws (e.g. capacity to consent, immigration) and could not, therefore, be appropriately attended to within the necessary constraints of this work. I omitted men who sell sex in part because it is arguably a matter which invokes distinct considerations, and in part as a nod to the gendered nature of prostitution (MacKinnon, 2011; Overall, 1992). This was, for the most part, a political decision made at the beginning of this research project and with the understanding that I was inescapably politically complicit in problem representation (Miller,

2000). It was, then, a self-imposed limitation. On commencing this thesis I felt that, whilst an appreciation of variance was imperative, it remained important not to use the spectre of inclusivity to undermine the explanatory salience of notable social trends, e.g. gender. I still believe that, though avoiding the pitfalls of identity politics is desirable, glossing over difference (albeit socially constructed difference) in the name of equality can invisibilise modalities of oppression (Alldred & Biglia, 2015; Dobash & Dobash, 1979; Mottier, 2002). In short, I surmised - on beginning this thesis - that whilst the experiences of men who sold sex were unquestionably important and meaningful, the empirical fact that the majority of people who sold sex were women needed to be recognised. If I were to start again at the beginning, if I were to set off on this thesis afresh, I do not know if I would make the same choices. Similarly, if I were to begin again, I might pay more significant regard to queer prostitution and, more specifically, the prevalence of transgender folk within illicit sex markets. In neglecting these matters, I am concerned that I may have inadvertently reiterated heterosexist assumptions, which fail to account for the nuanced/complicated nature of the political field. With that said, I do continue to hold that some traditional feminist narratives have important explanatory value for a portion of the sex industry. What I can say is that, in making these choices, I was able to hone in, and focus on, narratives that might otherwise have remained only partially applicable (e.g. VAWG narratives). In turn, I was able to provide a depth of study I might otherwise have lost. And, happily, in presenting the issue in a delimited form to respondents – some railed against it, rejected and problematized my framing, offered a different analysis and, in so doing, highlighted the politically contingent nature of the boundaries I drew. Some viewed my disaggregation of one form of prostitution from another as superficial, whilst others did not. This, in turn, allowed me to generate insightful data.

Respondents interviewed for this thesis worked within two of the advocacy coalitions I identified as functioning within the prostitution-policy subsystem of England (discussed in Chapter Five), e.g. PSWR advocates and abolitionists. And whilst members of these coalitions are significant players in the construction of Westminster prostitution policies, they are not the only players. The number of advocacy coalitions functioning within a policy subsystem is an empirical question which can only be answered through comprehensive study of that subsystem (Sabatier, 1988), but it seems possible that I did not cover them all – not least because so many policy-actors active within that space were not covered by this research.

1.5 Contributions

This thesis is an interdisciplinary work which draws from, and makes a number of contributions to, the fields of prostitution and VAWG policy studies; as well as to the fields of discourse analysis, critical social theory and socio-legal theory. It provides a wealth of original data, generated via interviews with 21 policy-actors from a range of occupational backgrounds, positioned within two prostitution advocacy-coalitions. Most notably it evidences that, while prostitution debates in England very often seem to consist of two fiercely oppositional ‘advocacy coalitions’ (PSWR advocates and abolitionists) – and while those participating in the debate tend to characterise the political field accordingly – the two cohorts share multiple areas of ideological consensus. Indeed, through an analysis of my findings, I evidence that the frames and narratives employed and promoted, by documents and actors, frequently converge. For instance, and as explored within Chapter Eight, there is significant consensus regarding the internal individualism of women who sell sex. Notably, this finding disrupts much commentary about prostitution debates, which locate individualism as a key site of contention (see Meyers, 2014; Miriam, 2005). What this may, in turn, suggest, is that a more conciliatory and consensus approach to policy making is stymied less by divergences in the fundamental way actors conceive of prostitution, and more by the promotion of distinct prognostic frames (e.g. decriminalisation versus asymmetric criminalisation, see Chapter Seven) and

a deep feeling of personal resentment (see Chapter Eleven). In turn, this disrupts and complicates the work of Advocacy Coalition Framework theorist, Sabatier (1988) who posits that policy-actors tend to organise themselves into coalitions by reference to their deep-seated belief systems, and show a general tendency to compromise with regard to more secondary considerations.

With that said, and in observations which introduce a layer of nuance and complexity to analysis, my work also evidences that the relative instrumentality of ‘gender’ is a highly contested issue. For whilst abolitionist actors frequently frame gender as one of the most, if not the most, important variable(s) in explanations of the illicit sex trade, PSWR advocates award it significantly less explanatory value. Interestingly, within my discussions of gender, I also evidence how policy-actors from both coalitions promote seemingly contradictory narratives in support of their particular representations of prostitution, and suggest that this may result from the dominance of a plurality of ideological discourses within the policy subsystem studied. In addition, and via an exploration of coalition framing activities, I evidence a number of intramural disputes – which highlight the nuance and complexity of meaning making within the policy subsystem studied. For instance, in Part Four, I evidence that a number of fault-lines run through the abolitionist coalition, tracing disagreements over how and why prostitution should be included within VAWG narratives. Furthermore, within these Chapters, I evidence an oft strategically engaged framing contest, over whether certain phenomena (e.g. sexualisation and prostitution) should be conceived of as violence per se, or causally related to violence. Notably, and as previously intimated, my analysis of, and commentary on, the various ways policy actors and documents include/exclude prostitution in/from policy narratives of VAWG, begins the work of addressing a gap in much related academic fare.

In methodological terms, my work brings two discourse analysis techniques – CDA and SFT – into dialogue with one another, using Bourdieu’s theory of action as a conceptual bridge. In so doing, it achieves a number of important aims. First, it introduces each technique to the methods of the other, and subsequently, enriches both. For instance, an emphasis, in CDA, on relationality and the dialectic nature of discourse, ameliorates a tendency within SFT to over-focus on localised framing activities. Furthermore, this approach, allowed me – and may allow others – to develop a more differentiated conceptualisation of the subject of discourse. According to my approach, respondents are ‘quasi-conscious’ subjects – both formed through, and the active users of, discourse. In turn, this allowed me to capture the potential complexities of policy-making and framing activities, which appear to occur at both a pre-reflexive⁶ and calculative level. Notably, critics have complained that a relative under-theorisation of the subject of CDA plagues the theory (see Scheuer, 2003). This is something my work begins to address.

Over and above this, my thesis offers a number of sophisticated theoretical contributions, which build on and go beyond my primary analysis of findings. In Chapter Seven, by drawing on Laclau’s theory of ‘floating signifiers’ (Laclau in, Worsham & Olson, 1999), and the work of Fineman (2008), I suggest that the concept of ‘vulnerability’ has become a space for hegemonic struggle, in which multiple competing representations of prostitution – drawing on a plurality of discourses – exist in tandem. In turn, I suggest that this may have allowed Westminster governments to advance a regressive conceptualisation of subjecthood, within prostitution policy, whilst seemingly responding to the frames of more progressively inclined stakeholders. In Chapter Eight, and in response to findings which suggest multiple abolitionist respondents problematize prostitution on public policy grounds, I propose a new way of conceptualising the harms of the illicit sex trade. I do so by viewing such findings through a lens of Bourdieusian sociology and feminist socio-legal theory, and suggest that by conceptualising the subject as relationally bound, mutually dependent and

⁶ By which I mean a reaction to, and acceptance of, something without conscious evaluation or calculative engagement.

involved in the iterative (re)production of the social field, it is possible to problematize prostitution as an industry, without condemning every granular and localised act of sex selling. Then, in Chapter Ten, and in response to respondent concerns that framing prostitution as VAWG risks eliding ostensibly consensual activities with rape, I explore how the concept of symbolic violence might provide a panacea of sorts. Here, I explore how the social field may contribute to the construction of cognitive schema, and subsequently lead to the misrecognition of domination and its manifestations.

In its sum, this thesis identifies the localised narratives promoted by variously positioned policy-actors, and policy documents; seeks to situate those narratives within the plurality of discourses from which they arguably draw; and seize upon the theoretical opportunities presented by findings, silences, and the contributions of, and spaces within, pre-existing academic literature.

PART ONE - A LITERATURE REVIEW

In Part One, I explore the rich bodies of academic literature from which this thesis draws, and to which it contributes. I begin, in Chapter Two, by exploring academic feminist interpretations and representations of prostitution in general – tracing some of the narratives promoted by those who favour prostitution’s legitimization and decriminalisation, before moving on to discuss those promoted by advocates of prostitution’s abolition. Thereafter, I draw out some key themes underpinning much feminist debate on the illicit sex trade - themes pertaining to the subjecthood of women who sell sex - and discuss them by reference to a range of salient (critical) social theories. In so doing, I lay the academic foundations for discussions regarding the way policy documents and actors interpret and represent the subjecthood of women who sell sex, a matter I explore in Part Three. In turn, this speaks to my first research question.

In Chapter Three, I move on to discuss definitions and theories of violence. I explore signification struggles over the meaning of violence, and discuss their political implications. I then discuss various ways theorists have sought to understand violence, both in terms of its constitution and aetiology. In so doing, I provide a thorough academic background of, and grounding for, matters discussed in Part Four – namely, how policy actors and documents variously include and exclude prostitution from narratives of violence against women and girls. In turn, this speaks to my second research question.

Chapter Two - (Feminist) Narratives of Prostitution & Conceptions of the Subject

In this chapter, I explore feminist narratives of prostitution, as well as interrelated conceptions of the subject. I begin by surveying a number of foundational texts, associated with modern feminist debates on prostitution (see Pateman, 1988; Rubin, 1984), as well as several more recent contributions (see Comte, 2013; Miriam, 2005)⁷. Here, I examine both the body of thought to which this thesis contributes, and multiple feminist narratives concerning the sale of sex. In turn, this presents an early opportunity for me to situate myself, politically and reflexively, within the discursive field, and make my position on prostitution explicit. As Gerring and Yesnowitz (2006) suggest, in candidly communicating our normative positions, we reveal the interpretivist lens informing our analysis, and allow for a more critical appraisal of our work. In any event, in this Chapter I trace the ‘sides’ of the prostitution debate which are, roughly speaking, constituted by those in favour of prostitution’s legitimization and those who promote its elimination - though, as will become apparent, the borders distinguishing one side from another are less than straightforwardly drawn. Then, in the latter half of this chapter, I draw out and examine a theme alluded to in many feminist representations of sex-selling – contested conceptions of the subject. In so doing, I explore the broader political and philosophical narratives of subjecthood and society cited, critiqued and embraced in much feminist discourse. What this exploration makes evident is how central conceptions of subjecthood can be to understandings of, and arguments about, prostitution. How we conceive of the subject is intimately entwined with a number of the themes underpinning prostitution debates, e.g. choice, gender, and domination. Before this, however, I wish to begin by highlighting the fractiousness of the debate under study, and the relative difficulties associated with representing related discourses in a linear fashion.

That prostitution debates are emotive and divisive is a fact routinely acknowledged (see Beran, 2012; Brents & Sanders, 2010; Kesler, 2002; Miriam, 2005; Overall, 1992; Shrager, 1989), with one theorist likening related clashes to “gang warfare” (Rubin, 1984, p. 167). Furthermore, such fractiousness is evident in academic contributions to the fray. Some such contributions are brazen in their disdain - whilst Weitzer (2010) labels abolitionism a ‘crusade’, Rubin brands its proponents “anti-porn fascists” with “the most retrogressive sexual thinking this side of the Vatican” (1984, p. 167). For the most part, however, this divisiveness is indicated more subtly. For example, both ‘sides’ claim defeat: whilst Miriam claims that the sex wars “were apparently settled by the end of the decade, with ‘pro-sex’ advocates declared the winners” (2005, p. 1), Showden claims that “dominance⁸ feminism (has) apparently won” (2012, p. 7). Furthermore, both ‘sides’ seek to undermine the credibility of the other: proponents of each, claim that proponents of the other, trade in unacceptable levels of abstraction - causing theoretical narratives to disconnect from empirical reality (see Dworkin, 1993; Miriam, 2005; Nussbaum, 1998). Relatedly, both ‘sides’ claim that the other does not consult with, or speak for, women who sell sex (see Dworkin, 1993; Meyers, 2014). This despite abundant evidence that women in prostitution do not speak with one voice, and entertain a variety of perspectives (see Kesler, 2002; Overall, 1992).

What is less routinely acknowledged, however, is the relative complexity of prostitution debates. But whilst some notable commentators do take relatively extreme and homogenizing positions (see Dworkin, 1993;

⁷ The review is by no means exhaustive: the body of literature pertaining to prostitution is vast.

⁸ By which she means feminism primarily organised around the belief that women are dominated by men in such a way as to effect the normative quality of many sexual interactions – a position most commonly associated with abolitionist/radical feminism

MacKinnon, 1989; Rubin, 1984), most occupy something of a middle ground (see Comte, 2013; O'Neill, 2010; Overall, 1992; Radin, 1987; Showden, 2012). Relatedly, though many academics have attempted to trace the dividing lines of the dispute, rarely do two envisage the political landscape identically. For example, Beran (2012) frames the discursive field as occupied by *radical and liberal feminists*, while Showden (2012) favours the terms *dominance feminism* and *sex positive feminism*, and Satz (1995) identifies three approaches (*asymmetric, economic and essentialist*). This array of categorisation exists because arguments for and against prostitution are neither singular nor homogenous (nor necessarily absolute in their condemnation/support). Narratives do not emerge from the same space, exist in a vacuum, or settle on the same conclusion. Indeed, in naming this chapter I chose to place 'feminism' in parenthesis, as it seemed inaccurate to suggest that one could delineate feminist contributions from those not ostensibly classifiable as such – academic cross-fertilisation and interdisciplinarity muddy the waters. To complicate matters further, whilst those who believe prostitution should be abolished tend to support the criminalisation of men who buy sex (Beran, 2012), these demands are by no means uniform (see Radin, 1987). In any event, and for the reasons stipulated in Chapter One, I favour the terms 'pro-sex worker's rights' (PSWR) advocates and 'abolitionists'.

In what follows, I begin by considering two discourses which do important work for the PSWR 'camp': liberal and sex positive feminisms. I then move on to explore four discourses which are articulated by abolitionists: discourses regarding the material conditions of prostitution, choice, the inalienability of sexuality, and gendered dominance. Before I begin, and in the interests of transparency, I would like to briefly indicate my own position with regard to these debates. In brief, though I am sympathetic to some of the claims made by PSWR advocates, I tend to identify most strongly with narratives and ideas promoted by abolitionist thinkers. This position is informed by, and informs, my dialogue with the literature explored below. It is also something I discuss thoroughly in section 2.1.3. Accordingly, I will not dwell here, save to offer a handful of important caveats. First, I do not wish any criticism I make of prostitution to be read as an immediate call for criminalisation. As Satz (1995) observes, "narrowing the discussion...to the single question of whether to ban or not to ban shows a poverty of imagination" (p.82). Furthermore, whilst I would rather prostitution not exist, I am not (as Ericsson (1980) suggests) contemptuous of women who sell sex. Much like Overall (1992), I object to prostitution as an industry, but not the women within it. With that said, I am cognizant of, and sympathetic to, Kesler's (2002) argument that "this approach lends credence to the idea that prostitution the job is somehow separate from prostitute the woman" (p.232). Prostitution, I concede, is not an industry which transcends those who inhabit it. This creates a dilemma, as I wish to express nothing but solidarity with all women who sell sex. In recognition of this, and the moral imperatives it presents, I try to embrace nuance and highlight the potential symbolic/material ramifications of any position I take.

2.1 (Feminist) Narratives of Prostitution

2.1.1 Pro-Sex Workers' Rights

Liberal Feminism

Feminists who favour prostitution's legitimisation and subsequent decriminalisation are frequently labelled 'liberal' (Beran, 2012; Meyers, 2014; Pateman, 1988). Whilst this term is occasionally used to flatten a variety of narratives which frame prostitution in positive or relatively neutral lights (see Beran, 2012), its cautious deployment has utility insofar as it highlights some of the key ideological strands in attendant debates. Simply, the liberal preoccupation with the asocial and rational individual, whose autonomy is expressed and performed through the positive act of 'choosing' (discussed further in 2.2.1), permeates much prostitution

discourse (Ericsson, 1980; Meyers, 2014; Pateman, 1988; Sanders, 2005). PSWR advocates very frequently emphasise how important it is to respect the agency and self-determinations of women selling sex (Overall, 1992). Relatedly, the classical liberal commitment to contractarianism as a descriptive mode of, and normative narrative for, social relations, similarly informs debate (Miriam, 2005; Pateman, 1988). In sum, it is argued that, if two mentally capable adults wish to consensually enter into a contract for sexual services, they should be allowed to do so – free from third party intervention or communitarian restraint (Ericsson, 1980a). Such contractarianism is reliant on both a decontextualized (and therefore de-gendered) subject (Pateman, 1988), and a construction of freedom organised around the *right to be left alone* (Miriam, 2005). In turn, by relying on narratives of sale and service, liberal feminism aligns prostitution with other forms of employment: framing sexual services as in no way distinct from other forms of labour (Comte, 2013; Satz, 1995). In drawing on the category and discourse of work, Scoular suggests, PSWR feminists “aim to de-exceptionalise the sex in sex work” (2015, p. 93).

Given contractarianism’s, and liberalisms, reliance on the asocial subject, it is not always entirely clear what role gender plays in liberal narratives of prostitution – if any. There does not appear to be an easily discernible consensus. For instance, whilst Brooks-Gordon (2010) undermines a gendered narrative of prostitution by reference to the existence of male and transgender sex-sellers, Ericsson (1980) frames prostitution’s legally sanctioned condemnation as consequent to a state-based reluctance to honour women’s self-determination, with regard to their sexuality. Notably, Scoular suggests that a relative over-focus on redefining prostitution by reference to work, and having it recognised as such, might have lead PSWR theorists to miss “the constitutive role of gender and the embodied nature of sexual services” (2015, p. 109). Interestingly, Overall (1992) provides some evidence to suggest that PSWR commentators avoid framing gender as imbued with explanatory value, because of a belief that the field of feminism is occupied by abolitionists, and therefore not easily accessed by those adopting a PSWR position. In any event, the liberal feminist position has been critiqued for failing to account for how social factors (such as gender and poverty) contribute to both the formation of the subject, and their lived experience (see MacKinnon, 1989; Miriam, 2005; Pateman, 1988). Relatedly, some have expressed concern regarding the degree to which liberal feminist narratives of prostitution draw on hegemonic discourses and, in turn, reproduce an ideology which delimits any critical political project (Bacchi, 2005; Miriam, 2005; Pateman, 1988). To illustrate, Scoular, in specific reference to rights-based discourses (often informed by, if not reducible, to liberalism), warns that “rights are....the lingua franca of liberalism, and as any good critical scholar knows, their realisation risks incorporation into and dependence upon the very structure that they are intended to challenge” (Scoular, 2015). As Pateman (1988) has observed, however, not all ‘liberal’ feminists would necessarily subscribe to classical liberalism or a pure rendering of contractarianism. Many would seek to contextualise women who sell sex within their socio-economic space – exploring how financial need mediates choice, and framing such mediation as either normatively acceptable, or problematic but not uniquely so (see Comte, 2013; Nussbaum, 1998).

Those who support an understanding of prostitution informed by liberal feminism, tend to advocate in favour of symmetric decriminalisation. That is, the repeal of all offences pertaining to both the sellers and buyers of sex, as well as multiple (if not all) third party offences (Comte, 2013). This, it is argued, would allow women to exercise their autonomy free from oppressive legal intervention. Relatedly, advocates of this position tend to actively resist narratives which frame prostitution as a marginal or deviant practice, by calling for the universal rights of citizenship to be extended to those who sell sex (Sullivan, 2007). Here then, as intimated above, they mirror and reproduce powerful discourses of liberalism, which possess significant political currency (Scoular, 2015). Importantly, it is felt that the realisation of such rights will

facilitate access to resources of mainstream employment –health and safety regulation, unionisation, and employment law (Brooks-Gordon, 2010; Scoular, 2015). These arguments intersect with, and draw from, a breed of Marxist feminism which frames prostitution as problematic only insofar as it represents another manifestation of capitalist hegemony – a hegemony which, if not entirely dismantled, could be meaningfully ameliorated through the promotion of workers’ rights (Davidson, 1998). As discussed, these discourses have created the narrative space from which the term ‘sex-worker’ has emerged (Thompson, 2012). This now near-ubiquitous nomenclature situates prostitution on a continuum of employment (Nussbaum, 1998), whilst simultaneously rejecting the label ‘prostitute’, a term often associated with sexual deviancy.

Advocates who support legitimization and decriminalisation of prostitution acknowledge the prevalence of violence in prostitution (Comte, 2013; Showden, 2012) and at least partially attribute such conditions to the criminalisation of the illicit sex trade. In summary, theorists argue that government regulation of women selling sex creates a social context within which potential attackers feel able to behave with impunity – safe in the knowledge that their victim will either refrain from reporting incidents, or encounter disinterested authorities if they do (Brooks-Gordon, 2010; Comte, 2013). This position undoubtedly has some credence, but I would like to pause and complicate it somewhat. I would contend, in sum, that if deployed uncritically and without consideration for the concurrent influence of other factors, arguments regarding criminalisation and its relationship to violence could too readily assume the existence of a rational and calculating attacker (Driscoll & Krook, 2012) – an attacker who performs a cost benefit analysis before deciding whether to commit a violent offence. Whilst a lack of sanctions likely does influence behaviour to some degree, evidence suggests that the deterrent effects of criminalisation do not always manifest as we might imagine, with regard to prostitution, and crime more broadly (Agustin, 2001; McAuliffe, 2012). Furthermore, when deployed uncritically, this position fails to explain why violence continues to be an ongoing problem in states with decriminalised/legalised prostitution (Farley, 2004). A more compelling argument is that behaviours made necessary, or mediated, by criminalisation (e.g. working in poorly monitored areas) increase the likelihood of violence (see Comte, 2013) – but, on its own, this position fails to account for the existence of a cohort of men primed to attack. And even if we accept the claim that the cohort of men to whom I refer are small, in relative terms (see Brooks-Gordon, 2010), why do they prey on women who sell sex, specifically? Stigmatization resulting from the continued delegitimization of the sex industry certainly seems to provide some explanation (Brooks-Gordon, 2010; Nussbaum, 1998). What might also prove similarly illuminating, however, is a consideration of how systemic and structural factors – left unchanged by a modification in the legal settlement around prostitution – might structure violence.

It would seem possible, that women selling sex are attacked for much the same reason that other women occupying different subject positions are: because men use violence instrumentally (to obtain power) and expressively (to show they have power), as socio-politically licensed by their status as beneficiaries of systemic gender inequality (Mooney, 2000). Furthermore, one could argue that the organising principles of prostitution – which I would suggest are objectification, commodification, bodily ownership and the expression of unilateral desire – creates a space within which dehumanisation, and subsequent violence, thrive. According to this interpretation, prostitution becomes a causal/contextualising factor in gendered violence (Kelly, 2007). If this contention is accepted, then it follows that decriminalisation by itself could not fully address the dangers of involvement in prostitution – and a more critical approach which brought prostitution into dialogue with feminist narratives of violence against women and girls (discussed in Chapter Three) would be required. In any event, to summarise, whilst I am sympathetic towards arguments which favour decriminalisation – insofar as I imagine some level of mainstream involvement could improve safety – I do not believe such measures should be seen as anything but a temporary or partial fix.

Sex Positive Feminism

Sex positive feminists⁹, and those sympathetic to related narratives, suggest that sexual expression contributes to human flourishing and should subsequently be “affirmed and celebrated in all of its diversity” (Cossman, 2002, p. 83). In turn, they reject constructions of sexuality as dangerous or in need of careful regulation, and problematize attendant discourses – which, they argue, create a hierarchy (organised around heteronormativity) of good and bad sexual encounters (Cossman, 2002; Rubin, 1984). Building on this, many theorists hold that the performance, or representation, of sexual congress which contravenes heteronormativity (e.g. procreative intercourse) is a form of political discourse which is both socially transgressive and rebellious (Comte, 2013; Cossman, 2002; Glick, 2000; Showden, 2012). Sex, so conceived, holds the power to trouble and disrupt the hierarchies of sex, around which hetero-patriarchal power, and its expression, is organised.

In contrast to liberal feminist narratives, gender tends to occupy a central role in sex positive feminism, and is understood to be the “animating core of...analysis” (Showden, 2012). Accordingly, sexual repression is framed as a site of gendered power struggle, in which women’s pursuit of pleasure and autonomy is systematically curtailed. In turn, women who demand and enjoy sex - on their own terms – are understood to be engaged in a socially transgressive project (Showden, 2012). With regard to prostitution specifically, sex positive feminists argue that - in simultaneously violating the symbolic covenant of sex within marriage and performing an alternative form of female sexuality - women who sell sex destabilize and trouble hetero-patriarchal systems of gender oppression (Glick, 2000; Showden, 2012). In turn, it is claimed that destabilization of sexual norms disrupts the notion that some forms of sexual congress are more ‘good’ or natural than others (Cossman, 2002; Glick, 2000). The body which sells sex “is that which embodies and enacts kinds of social meaning” (Reddy & Butler, 2004, p. 118) and can therefore become a site of social change.

Sex positive theorists counter-frame an abolitionist perspective of prostitution - which understands transactional sex to be a conduit for, and expression of, male domination (discussed in section 2.1.2)- as depriving women of their active sexual subjecthood (Glick, 2000). They argue, instead, that configurations of power do not prevent the exercise of agency (Glick, 2000; Rubin, 1984) and that to “operate within the matrix of power is not the same as to replicate uncritically relations of domination” (Butler, 2006, p. 30). Thus, the power of the individual to trouble and negotiate the social field is emphasised, and the possibility of their autonomy is embraced. In turn, sex-positivity has been criticised for promoting an overly individualistic form of transgression and for framing women’s liberation as “essentially a project of personal sexual liberation” (Glick, 2000, p. 22). This framing, it is claimed, fails to redress the socio-economic conditions which organise women’s repression in the first place. Whilst I concur that a broader activism is likely necessary, I am swayed by the Butlerian notion of a ‘politics of performativity’ (Butler, 2006). I would contend that what is considered natural at a macro-level is, in part, the result of symbolic (re)production on the micro-level. This is a key contention of critical discourse analysis (Fairclough, 2010) and Bourdieusian sociology (Bourdieu & Wacquant, 1992) – two theoretical frameworks which, as discussed below and in Chapter Four, heavily inform my work.

Nonetheless, I am troubled by the claim that prostitution facilitates a transgressive re-inscription of female sexuality. Prostitution, as I understand it, seems to have very little to do with female sexuality – its primary purpose is neither the sexual gratification or expression of those who sell sex (Rubin, 1984). Prostitution –

⁹ The sex positive theories explored here owe much to ‘queer feminism’. Given the necessary restraints of this literature review, however, an in-depth exploration of this intersection cannot be embarked upon. See Showden (2012) for details.

more often than not - appears to be a space which facilitates the unilateral expression of male desire (Pateman, 1988). This position is given empirical weight by evidence which has emerged from multiple research projects exploring sex buyers' motivations for utilising the illicit sex industry (Bernstein, 2007; Farley, Bindel, & Golding, 2009). In one such project, involving 103 men living in London, participants cited: the immediate satisfaction of a sexual urge; the desire to select a specific kind of sexual partner (e.g. Asian); and the desire to obtain sex acts unavailable elsewhere; as primary motivators for visiting women in prostitution (Farley et al., 2009). All such motivators speak to a desire to dictate the parameters of sex – to circumvent the desires of another in order to satisfy the desire of oneself. As Pateman contends: “the difference between sex without love and prostitution....is the difference....between the reciprocal expression of desire and unilateral subjection to sexual acts with the consolation of payment” (1983, p. 563). Indeed, unless we subscribe to the notion that an untethered female sexuality, expressive of individual agency, could be overwhelmingly satisfied by satisfying the needs of another (which would seem a regressive depiction) – it would appear necessary to question what role prostitution could reasonably play in a sex positive movement. With that said, it may be that prostitution remains symbolically disruptive. If we accept this proposition, however, we must also accept that such disruption “reduces lived experience to signs and symbols of representation... (removing) practice from social reality so thoroughly that [it] becomes [a] linguistic and discursive object in semiotic play” (Glick, 2000, p. 29).

However, echoing Shrage (1989), I am by no means convinced that framing prostitution as symbolically transgressive is reasonable. I would suggest that related contentions deploy an outmoded analysis of gender inequality which is too heavily reliant on the role of marriage, and matrimonial sex, in organising/regulating women's lives and sexualities. A more up to date analysis would need to take account of how the very profitable (and legal) global sex industry – reliant on the systemic objectification and sexualisation of women, in pornography (Hernandez, 2011; Jyrkinen, 2012), music videos (Bretthauer, Zimmerman, & Banning, 2006), and strip clubs (Brents & Sanders, 2010; Jyrkinen, 2012; Weitzer, 2010) – inflects the symbolic field, forms subjects and creates/complements informal social controls. Situated in this context, prostitution becomes less transgressive, and more an archetypal example of capitalism's intersection with oppressive gender ideologies. As Shrage argues “what is wrong with prostitution is not that it violates deeply entrenched social conventions – ideals of feminine purity and the non-commodification of sex – but precisely that it epitomises other cultural assumptions – beliefs which....serve to legitimate women's social subordination” (1989, p. 349).

My objections to a sex positive rendering of the sex trade should not be read as an absolute foreclosure on the possibility of *localised* transgressive prostitution. A differentiated theory of both power, and gender's intersection with other positional forces, should allow for diversity in experience (O'Neill, 2010; Showden, 2012). It is, for instance, possible that some women *experience* prostitution as personally liberating. That, in itself, is meaningful – affect is an empirical reality, regardless of its aetiology. It is also, conceivable, that in some highly localised instances, an act of prostitution might have some wider transgressive possibilities – insofar as the interpersonal interaction between buyer and seller of sex positively reimagines gender ideology and, in so doing, disrupts heteronormative narratives. That such localised instances exist and occur, however, is not reason enough to exonerate prostitution as an industry. If we accept the contention that prostitution as an industry (and as generally practiced) is a tangible manifestation of both material and symbolic gender inequality, an industry which reproduces and re-inscribes such inequality, then individual and aberrant instances of sex positivity hold little explanatory power. Rather, they are examples of the necessary partiality of an oppressive system regulated through social norms, sex role socialisation, gender ideology, disadvantage, violence and other forms of 'soft' power.

In addition to those explored above, there are a collection of academic narratives which justify prostitution by reference to largely positive framings of sex and sexuality. Here I will explore texts written by two theorists, both of whom have attracted significant attention from feminist commentators (see Glick, 2000; Overall, 1992; Pateman, 1983): Ericsson (1980) and Rubin (1984). To begin, Ericsson frames prostitution as an industry necessitated by the natural constitution of the biological human, who craves and needs sex in much the same way he does food. Here, Ericsson draws from and contributes to discourses which frame the male desire for sex as an overpowering craving, which demands satisfaction (Bourdieu, 2001; Pateman, 1988; Rich, 1980). This argument, however, hangs on a fragile and tenuous comparison for, as Pateman (1983) has observed, “without a certain amount of food, drink and shelter, people die; but to my knowledge, no one has yet died from want of sexual release” (p.563). In addition, Ericsson’s position relies upon an essentialist conception of human sexuality which underplays the potentially constitutive impact of socio-cultural immersion (Shrage, 1989). This is not to deny the potentially positive role sexual intimacy may play in this culturally bounded moment, but rather to disrupt the notion that sexual need is necessarily ‘base’ or that it must be met as a matter of right. In turn, conceiving of sex in socio-cultural terms necessarily exposes sexuality, and its expression, to a more critical analysis – something I explore in more depth in section 2.1.2.

Interestingly, Ericsson frames the principal inequality of the sex industry as its failure to provide women with a ready supply of men to have sex with. This position speaks to the sex positive contention that “the limited presence of women as clients is directly due to the sexual repression of women, which does not allow them to envisage the possibility that they might legitimately desire a sexual activity themselves without necessarily having to take the other’s desires and needs into account” (Comte, 2013, p. 201). I take issue with this particular framing. First, I would contend that the right ‘not to take another’s needs into account’ is hardly an ethic of sex we should strive for.¹⁰ Second, and relatedly, I would contend that such a position too readily assumes that “men are our standard for being human” (Dworkin, 1993, p. np.): that subjugation distorts the subjecthood and desires of the oppressed, whilst leaving the oppressor untouched. As Dworkin contends “we cannot want to be like them because being like them means using people the way they use people” (1993, n.p.). In seeking to disrupt relations of domination and subjugation, I would argue that one should not seek to assume the role of dominator – but rather challenge a hierarchy which facilitates the existence of an industry predicated on one person acting without care for another.

Rubin (1984) focuses less on the intrinsic qualities of sex and more on the oppressive regulatory regimes she believes exist to police heteronormative standards and punish transgression. She argues that “sexuality in western societies has been structured within an extremely punitive social framework” and that such cultures “generally consider sex to be a dangerous, destructive, negative force” (1984, p. 150). In contradiction to Ericsson, she criticises conceptions of sex reliant on biological determinism and advocates, instead, for a socio-cultural and historical analysis. In so doing, she seeks to evidence how dominant perceptions of sexuality rely not on naturally occurring hierarchies which organise the relative acceptability and unacceptability of forms of congress, but on socially contingent and repressive normative frameworks. In turn, she promotes a “democratic morality” which judges “sexual acts by the way partners treat one another, the level of mutual consideration, the presence or absence of coercion, and quantity and quality of the pleasures they provide” (p.153) and pays no regard to whether, for instance, a sex act is gay or straight, commercial or free. This is a position with which I have sympathy, though I would posit – in contrast with

¹⁰ I am cognizant that the normative question of what constitutes a desirable sexual ethics has been subject to significant debate. Unfortunately, such debates fall beyond the purview of this thesis.

Rubin – that most commercial acts would fall foul of the ethic she describes (for the reasons explored above).

In Summary: Pro-Sex Workers' Rights

In the preceding sections I have surveyed two narratives which are used to justify the existence, and support the legitimization, of prostitution. But whilst the first narrative relies on representations of sexuality as a property of the self (interchangeable with other forms of commodified attributes, bought and sold on the market), the second relies on a framing of sexuality as a force for transgression and incremental social change. Both, however, challenge the notion that there is something about sex which should prevent it from being bought and sold. And both rely on a construction of the individual as agent. But whilst the liberal feminist views individual subjects as decontextualized as a matter of course (and thus able to meaningfully engage in the negotiation of a contract), the sex positive feminist conceives of the subject as *becoming* an agent by virtue of transgression. These divergences mark a point of entry for this thesis: which narrative, if either, has dominance within the pro-sex workers' rights advocacy coalition? This is an issue explored in my findings. In addition, the issues raised around reliance on a decontextualized subject, and the autonomous being, invite further exploration of what it means to be a self in the social world – something I discuss in the latter half of this chapter. In what follows, however, I trace four discourses which are used to justify an abolitionist approach to the sale of sex – a problematisation of the material conditions of prostitution, constraint of choice, the inviolability of sexuality, and male dominance.

2.1.2 Abolitionism

Material Conditions

Multiple abolitionist theorists problematize prostitution by reference to the conditions within which many women sell sex. They frame the illicit sex trade as plagued by the threat of physical and sexual violence, by actual violence, mental illness, and substance misuse (Dworkin, 1993; Farley, 2004; MacKinnon, 2011).¹¹ This point is subject to some cross-debate consensus. Theorists from across the political spectrum tend to agree that unacceptable conditions (particularly with regard to violence) are experienced by women who sell sex (see Brooks-Gordon, 2010; Dworkin, 1993; Kesler, 2002; Phoenix, 2007; Satz, 1995; Scoular & O'Neill, 2007). Contention grows, however, regarding the prevalence and probative value of material conditions. For instance, advocates of decriminalisation such as Weitzer (2010) and Brooks-Gordon (2010) argue that abolitionists grossly over-dramatize and over-generalise stories of violence in order to justify their oppressive regulatory fantasies. In turn, they suggest that very poor conditions are experienced by a marginal group of women and do not characterise prostitution in general. Consequently, such theorists argue that conditions such as violence are severable from the industry (Showden, 2012). In contrast, abolitionist scholars tend to frame violence as inherent to prostitution (Dworkin, 1993; MacKinnon, 2011). For instance, MacKinnon argues that “harm elimination is not part of the sex work agenda because it is inconsistent with the sale of sex” (p.286). Furthermore, Dworkin suggests that prostitution is, in and of itself, violence: “Let me be clear. I am talking to you about prostitution per se, without more violence, without a woman being hit, without a woman being pushed. Prostitution in and of itself is an abuse of a woman's body” (1993, p. n.p.)

I entertain a relative ambivalence regarding the inherent harmfulness of prostitution. I am, for instance, concerned that arguments which frame prostitution as inherently harmful do not pay enough regard to the

¹¹ Farley (2004) provides a systematic review of research projects evidencing violence/mental ill health/substance misuse.

socio-cultural context within which prostitution is practiced. I would likely favour a more moderate perspective and contend that in this temporally and culturally bounded moment, prostitution is harmful, but that selling sex per se is not necessarily so. In addition, I am concerned that discussions of inherent harm advance an undifferentiated narrative of power that do not allow for the kind of localised transgressions discussed above. I would contend, in what might seem an overly academic distinction, that prostitution is inherently harmful when immersed in, and structured by, systems of gender inequality. And by this I mean not that present practices of prostitution should be understood as absolutely violent (insofar as every act of prostitution should be framed as such), but that the industry will always create the context for violence so long as it is grounded in *systemic* processes of domination and subordination. Accordingly, I take issue with any summary dismissal of the probative value of potentially marginal experiences. Whilst I am sympathetic with Satz's (1995) insistence that we not mistake "part of the practice for the whole", I think it equally important not to artificially disaggregate localised experiences from their social context. By this I mean that in requiring violence to be a universal experience in order to implicate prostitution more generally, one could undermine how relationality (which makes a society more than a random collection of individuals) structures prostitution as an industry. And in undermining relationality, acts of prostitution become episodic – the phenomenon *en masse* disappears. Relatedly, I am concerned that to render prostitution largely acceptable because not everyone suffers is to engage in a kind of utilitarian mathematics unsuitable for human distress. Is global capitalism a permissible institution because only those at the very bottom of the hierarchical pile suffer profound and lasting harm? Or is such suffering, in and of itself, reason enough to problematize its existence? (Fineman & Grear, 2013; Waltman, 2011). I appreciate that these are difficult questions which – even when answered – do not necessarily demand one course of action over another. I merely wish to flag the difficulties associated with setting aside stories of violence because they are not universal. Evidence that abuse is not the universal experience of those who sell sex is not evidence enough to sever the connection between one and the other.

Choice

A number of theorists who support an abolitionist stance on prostitution question the degree to which women *truly* choose to enter into prostitution – pointing to the frequency with which such women experience interpersonal coercion, economic duress and other social constraints (see MacKinnon, 2011; Miriam, 2005; Pateman, 1988). Frequently, these arguments draw on critical social analyses, which problematize the configuration of the social field, as well as the dual systems of gender inequality and capitalism (MacKinnon, 2011; O'Neill, 2010; Pateman, 1983). The subject, here, is framed as impinged upon – her autonomy curtailed by existence within an oppressive social field. Relatedly, some theorists problematize gender role ideology, exploring how internalised oppressive externalities form subjects in such a way that they conceive of themselves, and their surroundings, in ways amenable to the continuation of prostitution (Bourdieu, 2001; Meyers, 2014; Pateman, 1983). For instance, Pateman (1983) argues that "the structure of the relation between the sexes reaches into the unconscious and early development of little boys and girls and out into the form of economic organisation in which the capacities of individuals, and even women's bodies, become commodities to be alienated" (1983, p. 564). In any event, the matter of choice once again raises philosophical questions regarding the nature of the self, and her relationship to the social – questions explored in the latter half of this chapter.

These arguments are, very frequently, critiqued by PSWR advocates for relying too heavily on the existence of a passive non-agent (see Brooks-Gordon, 2010; Weitzer, 2010). For instance, Brooks-Gordon (2010) accuses abolitionists of believing that "sex workers cannot consent" (p.154), whilst Comte (2013) declares that abolitionists imagine "prostitution cannot, by any means, be voluntary" (p.199). In response, I would

contend that these counter-frames *occasionally* rely on a somewhat reductionist reading of related texts. To illustrate, in one publication, MacKinnon (2011) (a famously radical commentator), does *not* suggest that women in prostitution are absolutely without choice. Rather, she problematizes the lack of control women have over the contexts which mediate their involvement, arguing that “no one chooses to be born into poverty....no one chooses the racial group or caste one is born into.....these circumstances, from the uncontested evidence of who the prostituted disproportionately are, most powerfully determine who is used in this industry” (2011, p. 278). Her aim is not to suggest all prostitution is forced but, rather, to disrupt the liberal binary of ‘forced versus voluntary prostitution’, claiming not that the latter is an illusion but that such experiences occupy “points of emphasis on common continua with convergence and overlap among the dimensions” (2011, p. 272). Relatedly, I would suggest that arguments made by feminist theorists like Pateman and MacKinnon provide important counterpoints to, and disruptions of, narratives like liberal contractarianism. They highlight the potentially deterministic power of social environments, and explore how conditions which exist prior to the subject, play a role in her formation and constraint. This, in turn, complicates the notion of choice as the straightforward expression of an autonomous will, whilst introducing a progressive lens through which to interpret disadvantage. I would contend that, in a context of hegemonic neoliberalism, critical social theories like MacKinnon’s feminism become an integral site of discursive resistance - countering the feeble notion that individuals should be held entirely responsible for their ‘choices’ and subsequent failings/successes, despite the chronic maldistribution of resources and opportunity (Baker, 2008; Biebricher & Johnson, 2012).

Relatedly, a number of (liberal and sex positive) theorists critique abolitionist scholars for advancing frames of prostitution which rely too heavily on a ‘victim’ subject. This criticism appears to be based on the belief that victimhood exists in binary opposition with representations of women as autonomous agents (see Brooks-Gordon, 2010; Weitzer, 2010). For instance, Weitzer (2010) highlights research which provides evidence that some women exercise agency with regard to their involvement in prostitution, before claiming that such examples serve as “a useful counterpoint to the victim trope presented by abolitionist forces” (p.68). Similarly, Kesler (2002) argues that by undermining the choice of those selling sex abolitionists “force victimization on women, many of whom are no more victims than non-prostitute women under our current system” (p.223). I sympathise with Kesler’s position, not because I necessarily accept the proposition that abolitionists force victimization on women in prostitution, but because I accept her suggestion that women are, in general terms, victimized by our ‘current system’. In turn, I would contend first that victims need not be understood as the diametric opposite of free agents, and second that not all abolitionism relies on related dichotomizations. To support the former contention, I would refer to the work of Stringer (2014), who contends that representations of ‘victims’ as (necessarily) passive non-agents rely on neoliberal narratives of selfhood. Such narratives are organised around the concept of a highly individualised subject, who is unequivocally held responsible for her own failings/successes and who is, therefore, required to take personal responsibility for every aspect of her life. It therefore follows that victimhood - which necessarily requires blame be attributed to a victimizer - is a status set aside for situations in which agency is entirely curtailed. In any event, by relying on the categories of absolute victim and absolute agent, by responsibilising individuals at the expense of a structural analysis, neoliberal narratives of victimhood fail to engage with the myriad ways individuals – exercising autonomy– can be harmed by socio-political conditions. Stringer therefore calls for a disruption of the victim/agent binary and for a reconceptualization of victimhood which bestows it with transgressive political meaning. And as intimated, many abolitionist theorists advocate for this complication of the binary: avowed abolitionist Miriam, explicitly argues that “the pro-sex-work theory assumes that victimization and agency are mutually

exclusive points (but) the abolitionist position that prostituted women are victims is not one that denies that these same women.....have also employed numerous stratagems of resistance to their situation” (2005, p. 14).

A more reasonable repost to the abolitionist position is that whatever social force delimits women in prostitution, similarly delimits women who pursue other undesirable work (Kesler, 2002; Nussbaum, 1998; Overall, 1992). Experiences of poverty, systemic racism, institutionally and socially ingrained sexism arguably mediate the life choices of many subjects – existing both in, and outside of, the illicit sex industry. As Overall argues there is little evidence to suggest that women (not subject to third party control) choose to enter prostitution any less freely than they do other forms of “paid labour under the limiting and exploitative conditions of capitalism” (1992, p. 713). Thus, in order to justify paying special heed to prostitution (and not, say, the domestic worker) abolitionists are charged with differentiating between ‘sexual services’ and other forms of ‘labour’. This is an issue I consider in the next section. Before I move on to address such matters, however, I wish to discuss two instances in which more radical problematisations of choice (as they pertain to prostitution) present thornier ethical challenges.

More radical positions on choice become significantly harder to defend in two instances: first, when they directly undermine the lived experience of those who sell sex (Overall, 1992), and second (and relatedly) when sex consensually sold in prostitution is conflated with rape (Comte, 2013; Showden, 2012). With regard to the first, it is a perennial struggle – experienced by many critical theorists (see Bourdieu, 2001) - to pay simultaneous heed to the individual perceptions and interpretations of the subject, whilst exploring how the social field might be involved in the constitution of the self. Both are important projects (particularly when discussing the needs of marginalised groups) which present as antimonies. To undermine the lived experience is to ignore a significant empirical reality (subjectivity), to alienate an important cohort of people (those whose subjectivity you override), and to potentially assume the dominant and problematic role of objective observer. To, in turn, fail to problematize the potentially deterministic nature of the social field, would be to neglect a rich source of critical social theory, capable of providing a convincing explanatory narrative for how and why subjects become complicit in sustaining social systems which may not serve their interests. This is an important tension to understand and explore, and is therefore one I discuss in the latter half of this chapter.

With regard to the second problematic stance, some more radical abolitionists suggest that the conditions which commonly contextualise prostitution cause the sale of sex to become so draped in difficulties, that it is interchangeable with sexual assault. For instance, MacKinnon argues that in prostitution “money coerces the sex rather than guaranteeing consent to it, making prostitution a practice of serial rape” (2011, p.274). As Sullivan (2007) persuasively argues, the elision of rape and *all* transactional sex has the potential to promote damaging conceptions of the subject - conceptions which undermine a woman in prostitution’s ability to pursue a successful rape claim and, subsequently, receive protection under the law. Sullivan illustrates this argument by exploring how previous forms of legal subjectification - largely based on arcane narratives regarding feminine promiscuity - undermine such abilities by presenting women in prostitution as a) always, and already, consenting and b) as unreliable witnesses. Sullivan then goes on to trace evidence that progress within the political/legal field (largely consequent to feminist intervention) had led to women in prostitution being “re-made as women vulnerable to rape, as individuals able to give and withhold consent, and thus as entitled to redress under the legal system” (2007, p.128). Subsequently, Sullivan goes on to argue that “feminists seeking to ‘protect’ or advance the rights of women (should) pay attention to the likely consequences of their campaigns” (2007, p.137), warning that to advance a frame of prostitution

as ‘always already rape’ would be to undermine hard won legal wins which demonstrably benefit women’s lives. Additionally, in a secondary but nonetheless persuasive strand of her thesis, Sullivan argues that feminists must respect the “experiential distinction” women in prostitution identify between rape and selling sex. How women experience their lives, how they understand and perceive their sexual interactions, is important empirically and politically. To straightforwardly and unequivocally undermine the knowledge produced by women themselves is to disempower, silence and marginalise the very people feminists seek to support. These are matters I return to, through a discussion of my findings, in Chapter Ten. There, I explore how concerns regarding the elision between prostitution and rape have caused an intramural fracture in the abolitionist coalition under study.

Inalienability of Sexuality

As intimated above, though some problematisations of choice are significant and important – insofar as they disrupt hegemonic narratives and provide a critical interpretative lens - they do not appear to provide a clear justification as to why prostitution should receive *unique* condemnation. Discourses regarding the inalienability and inviolability of sexuality seek to seal this lacuna: related narratives explore the character of sexual congress, in search of its distinctness. In short, inalienability theorists argue that sexuality is an inherent and valuable part of oneself, and that to commodify one’s sexual attributes is to harmfully alienate oneself from one’s capacities (Kesler, 2002; Radin, 1987; Satz, 2011). For instance, Pateman claims that: “women’s selves are involved in prostitution in a different manner from the involvement of the self in other occupations. The realisation of women’s selfhood requires, according to this view, that some of the capacities embodied in their persons, including their sexuality, remain, ‘market-inalienable’” (1988, p. 207). Relatedly, Radin (1987) argues that by commodifying sexual services one promotes an inferior form of personhood, as sexuality is “integral to the self” (p.179). Furthermore, Dworkin suggests that selling sex diminishes a person, claiming that “it is impossible to use a human body in the way women’s bodies are used in prostitution and to have a whole human being at the end, or in the middle of it, or close to the beginning of it” (1993, n.p.). Arguments organised around the idea of an inalienable sexuality take an absolutist approach to the wrongs of prostitution – arguing that “prostitution is not wrong simply because it causes harm; prostitution constitutes a harm” (Satz, 1995, p. 70). Thus, contentions that prostitution is a voluntary endeavour are dismissed, as such voluntariness no longer carries explanatory weight.

Narratives of this kind draw from, and contribute to, broader arguments regarding the property of the self (e.g. labour). Whilst some suggest that property in the self is essentially interchangeable with other forms of property, others claim that there are some attributes/capacities which should be considered ‘market inalienable’ (Pateman, 1988; Radin, 1987; Satz, 2011). Discourses of “universal commodification” (Radin, 1987, p. 175), for instance, hold that ‘rapists’ could meaningfully be reconceptualised as ‘sex thieves’. Indeed, if one frames sexuality as property, rape becomes conceptually related to an offence of acquisition (Radin, 1987; Satz, 1995). This, as Miriam (2005) posits, relies on a “starkly instrumental notion of body”. In turn, a number of feminist theorists, such as Radin (1987) and Satz (1995), have offered persuasive critiques of this position. Satz argues that in eliding human and material capital, one undermines the “idea of personal integrity... a crucial element of any reasonable scheme of liberty” (p.69). In turn, she suggests, this denies the unique relationship individuals have with their corporeal selves. Relatedly, Pateman (1983, 1988) and Miriam (2005) argue that narratives of universal commodification are premised on a pervasive political fiction, implicit in contractarianism – namely, that a person’s property in the self is severable from the self. Both would contend that what is truly on sale in prostitution is not a sexual service, but “powers of command over one person’s body” (Miriam, 2005, p. 4). From this perspective, the liberal feminist

contention that a woman may sell sex and remain autonomous, ignores the relation of domination and subordination created by entry into related contracts.

What follows from such critiques, however, is a persuasive problematisation of contractarian (and capitalist) representations of employment, but not a unique problematisation of prostitution per se (Nussbaum, 1998). Even when theorists deploy a dual systems approach - calling into question the deterministic nature of capitalism and gender inequality - the result is an indictment of highly gendered forms of employment (e.g. childcare, domestic work) which are similarly “work that is primarily allotted to women for the benefit of men” (Overall, 1992, p. 717). In short, arguments which seek to problematize prostitution by reference to sexual inalienability, fall foul of the same criticisms directed towards arguments which disrupt notions of choice – namely, that there is little that is distinct about selling sex. To successfully problematize prostitution by reference to market inalienability, one would need to differentiate between sexuality and other human attributes/capacities - bestowing the latter with more meaning and significance than the former. Doing so, as both Nussbaum (1998) and Overall (1992) have evidenced through the systematic comparison of prostitution with other forms of employment, is a challenging task. Even Radin (1987), whose thesis hinges on conceiving sexuality as market-inalienable, concedes that “there is no algorithm...to tell us which items are (justifiably) personal” (p.181) and therefore harmful to sell. Many theorists persuasively argue that selling sex differs from other forms of employment only insofar as sex has a socio-culturally distinct meaning (Ericsson, 1980a; Nussbaum, 1998; Overall, 1992; Shrager, 1989). In what follows I address this contention.

The distinctive nature of sex

Narratives regarding the inviolability of sexuality- as well as sex positivity’s reverential treatment of the same - have been criticised for their tendency to de-contextualise/universalize sexual practices (Glick, 2000; Kesler, 2002; O’Neill, 2010; Satz, 2011; Showden, 2012; Weitzer, 2010). I have sympathy for such criticisms as they pertain to each side of the debate. I would argue that any narrative which decontextualizes a woman’s relationship to her body, fails to pay sufficient enough regard to the mutability of the subject, the social contingency of her sexual expression, and the cultural conditions within which her sexuality is performed (Glick, 2000; Shrager, 1989). Furthermore, I would argue that the homogenizing effects of universalizing narratives promote accounts of sex and power which are both too undifferentiated and too linear (Davidson, 1998) - leaving limited room for the mediating influence of social positionality. I do not wish to undermine the utility of discussing macro trends, but to highlight the relative danger of imagining they can be straightforwardly applied to the highly localised: the subject is not an epiphenomenal version of the social. That women in prostitution experience their involvement in the sex industry in various ways, is empirically apparent (Brooks-Gordon, 2010; Overall, 1992). And as Kesler (2002) argues, it would seem as if “sexuality is very closely linked to conceptions of self for some people, and less so for others” (p.225). With that said, I would argue that it is insufficient to claim that sexuality has no inherent or universal meaning and then conclude that prostitution is, therefore, largely unproblematic. ‘Bell jar’ arguments should be treated with caution: sex might be entirely meaningless when entirely decontextualized, but what does that matter? When will one individual ever sell sex to another in a socio-cultural vacuum? In short, I would argue that debates about the ‘inherent’ nature of sex distract from the far more important question of how sex functions presently, how it could, and perhaps how it should. Exploring this question, I would contend, has the potential to destabilise some of the dominant strands within prostitution debates.

In this bounded moment sexuality is *pervasively believed* to have distinct meaning. This is evidenced by the existence of a protectionist legislative agenda surrounding sexual activity (Lacey, 2001), as well as by the widely felt ethical/legal commitment to preventing adult-infant sexual congress (Rubin, 1984; Shrager, 1989).

It is similarly evidenced by the fact that few feminists – regardless of their stance on the sale of sex – would suggest that prostitution be subject to the normal regulations of mainstream employment (Anderson, 2002; Kantola & Squires, 2004). For instance, whilst a plumber might reasonably be compelled to honour a contract of services, few would defend the idea that a woman should ever be compelled to sleep with a man she did not desire. To introduce prostitution to mainstream employment – as if it were interchangeable with plumbing – would be to curtail the sexual autonomy many feminists fought hard to secure (Anderson, 2002). Thus, most PSWR advocates would support prostitution as a distinct form of employment – a form of employment which allows space for an often unfettered expression of individual autonomy (see Kantola & Squires, 2004). In so doing, they place weight in the socio-cultural meaning of sex, and the body. This is perfectly understandable – but it makes some critiques of abolitionism hypocritical. Discourses which undermine the problematisation of prostitution, by claiming that such problematisations rely on reifying social cultural meaning, are unsustainable. Indeed, if we organise our arguments around the notion that socio-cultural meaning should have no traction, we open the door to a whole raft of change we would likely feel uncomfortable with, e.g. the normalisation of adult-infant sex (Rubin, 1984; Shrager, 1989). This is not a domino argument (Rubin, 1984) – I am not claiming that the legitimisation of prostitution would lead to a validation of paedophilia. Rather I am suggesting that in picking and choosing between one and the other, we make ideological and cultural distinctions based on a normative framework many would wish to defend. Simply put: in prostitution debates, the question is rarely whether sex has a discrete meaning or not – and more frequently what meaning, precisely, it *should* have.

In any event, what is *pervasively believed* constitutes a dominant discourse (Fairclough, 2010). In turn, many contend that discourses subjectify – subjects are formed through discourse (Bacchi, 2005). If one accepts sociological narratives of this tenor, one must also accept that it is likely subjects are pre-reflexively inculcated to interpret their own sexuality through a lens of its socio-cultural meaning. As I argued earlier, this inculcation will not necessarily be wholly deterministic or equal among all people – different cultural, social and economic positioning will likely create divergences and variations (Bourdieu, 1977) – but will have some explanatory power in more macro terms. Therefore, discourses of sexuality which focus on harm, appropriateness, consent, autonomy, gratification, desire and personhood may well inflect the life-views of a multitude of women. As Butler explains, “in the most intimate encounters with ourselves, the most intimate moments of disclosure, we call upon a language we never made in order to say who we are” (2004, p. 116). That prostitution *per se* could cause some level of harm – insofar as it exists in affront to certain pervasive strands of belief – seems, therefore, eminently possible. From this perspective, to claim that sex has no inherent meaning is not to prove that prostitution does not – in the present moment – carry the risk of a particular kind of harm. To recognise that meaning is socio-culturally constructed, is not to neutralise its effects.

It is not immediately clear what course of action would be necessitated if one were to accept the proposition that prostitution *per se* could cause harm to a proportion of those involved. I would strongly protest any form of redress which merely told women, disturbed by selling sex, to desist from doing so. As already discussed, choice is a problematic concept. Secondly, and as before, I would contend that we cannot entirely exonerate prostitution of harm because not all women suffer it. In the longer term, a mass resignification of sex as a concept could alleviate some harm (see Nussbaum, 1998) – but I remain unconvinced that such resignification is desirable.

Dominance and Subordination

Whilst abolitionist feminists show varying levels of commitment to the narratives already explored (see Overall, 1992), there is a marked discursive convergence regarding the social nature, meaning and implications of prostitution as a phenomenon *en masse*. In short, most abolitionist feminists subscribe to the idea that the illicit sex industry is constituted, and made intelligible, by socially, politically and culturally inscribed gender inequality (Dworkin, 1993; MacKinnon, 2011; Overall, 1992; Pateman, 1983; Satz, 2011; Shrage, 1989). Prostitution, Dworkin argues, “comes from male dominance” (1993, p. n.p.) and is, as Overall contends, a “classist, ageist, racist, and sexist industry, in which the disadvantaged sell services to those who are more privileged” (1992, p. 716). Prostitution, here, is described as the systematic organisation of one disadvantaged social class (largely poor women) to act as sexual servants for a more privileged cohort (men) (Kesler, 2002; Satz, 2011). Arguments of this kind do not necessarily rely on the absolutist problematisation of prostitution per se, nor are they organised around the idea that there is something philosophically distinct about sexuality – rather, they critique the socio-cultural conditions within which the sale of sex takes place and the effects of such conditions (Satz, 1995). With that said, a handful of theorists suggest that whilst the sex industry might only be considered problematic insofar as it relates to highly oppressive social systems, they are not convinced it would continue to exist were it not for such conditions (see Shrage, 1989). Overall (1992) contends that “prostitution is dependent, both for its value and for its very existence, upon the cultural construction of gender roles in terms of dominance and submission” (p.219). In any event, abolitionists also hold that prostitution is not only materially and symbolically constituted by gender inequality, but that it contributes to the continued inequality of both women who sell sex and women more generally. For instance, Satz (1995) states that “if prostitution is wrong it is because of its effects on how men perceive women and on how women perceive themselves” (p.78) and goes on to call the sex industry “a theatre of inequality” (p.79). Similarly, Shrage (1989) argues that prostitution “epitomises and perpetuates pernicious patriarchal beliefs and values and, therefore, is both damaging to the women who sell sex and, as an organised social practice, to all women in our society” (p.349).

In Summary: Abolitionism

Abolitionist feminism contains numerous narrative strands. It is not a homogenous or singular intellectual discourse, but rather a variety of theories organised around a similar prognostic framing of prostitution (e.g. that it should be abolished). Such theories concern the material conditions of prostitution, the idea of inhibited choice, the inalienability of bodily integrity and the meaning/implications of sex selling in systems of gender inequality. Often, theories are brought into conversation with one another, e.g. discourses focusing on prostitution’s material conditions and organising principles (e.g. gender inequality) are often deployed in arguments that the ‘choice’ to sell sex is problematic (see MacKinnon, 2011; Miriam, 2005; Pateman, 1983). The variety of discourses available to those advocating on behalf of prostitution’s abolition mark a point of entry for this thesis: what, if any, narrative do the participants within the abolitionist advocacy coalition draw upon? In addition, they pose further questions regarding the subject and her relationship to society. These are matters I explore in more depth in section 2.2.

2.1.3 My Feminism

A story starts before it can be told. When did feminism become a word that spoke not just to you, but **spoke you**, spoke of your existence, spoke you into existence? When did the sound of the word feminism become your sound? What did it mean, what does it mean, to hold onto feminism, to fight under its name; to feel in its ups and downs, in its coming and goings, your ups and downs, your comings and goings? (Ahmed, 2016)

I first encountered the illicit sex trade, in 2007, whilst volunteering for Street-Law. I advised women in prostitution about their rights on arrest. I told them that, no, sleeping on the streets would not be considered reasonable grounds for a stop and search and, yes, they should tell the custody sergeant if the arresting officer asked for oral sex. I better acquainted with it between January 2010 and September 2012, when I worked in hostels for homeless men and women. There I saw violence, rape, gang fighting, crack and heroin and alcohol abuse, paedophilia and incest. I saw deaths happen quickly and slowly. I was physically threatened four or five times. In more specific terms, I saw trafficking, pimping, and prostitution. I came to understand the sex industry as a space within which gang rapes, child abuse, PTSD, poly-drug addiction, and the systematic use of marginalised, poor, frightened women's bodies for men's pleasure, thrived. At the margins, prostitution is a form of warfare – and not the cerebral kind alluded to by Rubin (1984). I left in 2012 with a deep understanding of the way disadvantage functioned and a strong dose of vicarious trauma.

There is an irony in the idea that the experiences I collected, like pebbles on a beach, have served as my introduction to the topic of this thesis. An irony, because what I saw then exists in uncomfortable ambivalence with what I say today. I am far away now – emotionally, spatially and temporally. My life is no longer 5am alarm clocks, for 6am trains and 7am shifts. It's no longer verbal abuse and dilapidated hostels and used needles and police at the door. It's no longer staring down the coal face of ingrained and grinding poverty, inequality, marginalisation, structural violence and finding myself frustratingly impotent. Now, instead, it's 9am starts and conferences and book reviews and two types of water. It's a great deal easier to appreciate nuance, and see compassion, when the meetings you attend are catered. I am no longer impotent, I am no longer fighting fires which never cease to burn. But it is more than that. The knowledge bequeathed to me in the hostels is of a different genre to the knowledge my studies have allowed me to develop. The first knowledge is grounded in emotion and experience – in the recognition of how dark and awful and miserable life can be. There were times, whilst I was working, that I would have been prepared to burn the world down, had I thought it would make a difference to the women I sought to help. And emotional knowledge cannot be weighed or measured or articulated satisfactorily; it exists somewhere in the unsaid and unsayable. Academic knowledge, on the other hand, is grounded in words, theory, and politics. Developing a unitary knowledge is challenging, if not impossible: “a wrong results from the fact that the rules of the genre of discourse by which one judges are not those of the judged genre or genres of discourse” (Lyotard, 1989, p. xi). There are, in short, limitations on the degree to which one can judge the emotional by the intellectual, or the intellectual by the emotional – and attempting to do so can cause losses on both sides.

The act of bringing one form of knowledge to bear upon another, is made all the more challenging by the relative social value of each. As Bondi posits “emotion is often viewed as intrinsically un-reasonable” (2009, p. 5), whilst academic pronouncements, as Bourdieu assures us, “are among the most powerful socially” (1992, p. 71). On the other hand, emotional knowledge demands limited respect, perhaps, in part, because of its perceived femininity (Meyers, 2010). In contrast, I likely hold my emotional knowledge in higher regard than that which I have obtained through study. It was bestowed upon me by women who trusted me; it is ingrained; it will not be easily challenged; it moves me. I do not wish to undermine the value of academia – I cherish the opportunities it has afforded me. Rather, I wish to disrupt the idea that the knowledge it produces, necessarily surpasses or eclipses the alternatives (Bondi, 2009).

What remains from my work experience, the aspect of my emotional self which permeates my logical pronouncements, is an appreciation of the weight of the thing. To borrow the words of Coates (2015) -

who writes on matters of race - we must “always remember that the sociology, the history, the economics, the graphs, the charts, the regressions all land, with great violence, upon the body”. I bring with me knowledge that prostitution (*per se*) can be extraordinarily harmful and, more importantly, that such harm *matters*. The offences visited upon the bodies of the marginal and excluded *matter* - just as much as the transgressions and independence of the privileged. So whilst I have worked hard to develop a nuanced and differentiated understanding of how the social field in general, and the illicit sex industry in particular, influence and shape the subject – I have also worked hard to communicate my belief that prostitution is a problem, a wrong. And not just because it bears witness to harm, but because it does harm. I have worked hard to keep that nugget of emotional truth at the core of what I write. Beyond that, my feminism is in a state of flux – existing in some uncomfortable space between the two ways I have to know and feel; between my obligation to honour the women I worked with, to honour the academy, and to honour women in general. Feminism is not a static or comfortable way of thinking or being – nor should it be. It is, by its very nature, a disrupting force, a critical voice, a weaponised form of knowledge. It is a tool of deconstruction and reconstruction used in the scrutiny of oneself, one’s categories of perception, and one’s surroundings.

In more theoretical terms, my efforts to develop a nuanced and theoretically sophisticated narrative of prostitution have involved exploring a number of related tensions. Such tensions exist between: social trends and the lived experience, relationality and individuality, realism and utopianism. With regard to the first two antinomies, and as indicated, I am swayed by the various theorists who suggest we should avoid constructing prostitution as ahistorical or asocial, (Shrage, 1989), that we should avoid a status politics which relies upon the discursive construction of a homogenous group embodying certain attributes (O’Neill, 2010) and that we think not of ‘prostitution’ but ‘prostitutions’ (Showden, 2012). But I am similarly influenced by those who frame prostitution as organised around, and made intelligible by, materially and symbolically ingrained gender inequality – manifesting in resource maldistribution, the male sex right, systems of domination and subordination, and violence against women (see MacKinnon, 2011; Overall, 1992; Pateman, 1983). Relatedly, I think it important to resist overly individualising narratives which fail to properly explore the implications of relationality and sociality (Showden, 2012). This is a tension which, in the preceding sections, I have attempted to resolve by considering the mediating impact of positionality. In addition, these are tensions I wish to explore in more depth – to situate within wider philosophical debates and discussions. I therefore explore them in the next section.

With regard to the final antimony (realism versus utopianism), I simultaneously harbour fondness for the latter, and a healthy respect for the former. And whilst I do not hold that pursuing utopianism is incompatible with being ‘realistic’, I do believe it politically important to consider the potentially negative (all be they undesired) consequences of idealistic projects. Relatedly, though I am ultimately persuaded by the abolitionist interpretation of prostitution, I do not believe that it intrinsically recommends one course of action over another. Though condemnation of prostitution on abolitionist grounds is generally associated with calls for asymmetric criminalisation¹² (Beran, 2012), I remain troubled by the adverse consequences such measures *might* invite. In line with Satz (1995), I am concerned by the potential symbolism of asymmetric criminalisation and agree that “while an unrestricted regime of prostitution....could have negative consequences....state prohibition (could) also reflect a view of women which contributes to inequality” (p.83). In addition, and in harmony with Radin (1987), I am concerned by the material consequences of depriving some women of what might be their only means of income – indeed, “the

¹² The decriminalisation of selling sex; the criminalisation of buying sex.

dilemma of transition is the double bind” (Radin, 1987, p.184). In short, if women are forced to negotiate a hostile social field - characterised by capitalism, structurally and symbolically ingrained gender inequality, and the prevailing winds of neoliberalism - it seems entirely reasonable that some would turn to a form of survival made meaningful/prevalent by these forces (Overall, 1992). Indeed, whilst Radin argues that sexuality should be framed as ‘market inalienable’, she goes on to concede that such a position might “sometimes be unjustifiable because of our non-ideal circumstances” (1987, p.178) - circumstances characterised by “ignorance, greed....violence...poverty, racism and sexism” (1987, p. 183). She goes on to argue that “if we now disallow commodification – without what I have called the welfare rights corollary, or large scale redistribution of social wealth and power – we force women to remain in circumstances that they themselves believe are worse than becoming sexual commodity suppliers” (1987, p.184). In short, to reject the dual systems of capitalism and gender inequality could – in effect - be to excommunicate oneself from the social field, and the limited comforts it affords.

I find myself a little disillusioned. In seeking to consider, and appreciate, the complex character of prostitution as an industry, I seem to have painted myself into a corner of intractability. This is, perhaps, most aptly illustrated by my present position on challenging the symbolic dimensions of prostitution: whilst I would favour vocally problematizing the behaviour of sex buyers, I am unclear how one would go about doing so without inadvertently marginalising women who sell sex. I wonder if, perhaps, the broad promotion of a feminist-inspired sex ethic would do some work to ameliorate the harms suffered by women who sell sex in particular, and women as a social cohort more generally. In general, however, I suspect a radical redistribution of material resources – twinned with a symbolic revolution – would be necessary to truly tackle this deeply difficult and often damaging phenomenon. At present, both seem like utopian notions.

2.1.4 In summary: (Feminist) Narratives of Prostitution

In this section, I have sought to provide an in-depth and critical analysis of the various feminist discourses of prostitution. I began by outlining the pro-sex worker rights narratives of liberal feminism and sex positive feminism, before moving on to discuss abolitionist narratives regarding choice, the inviolability of sex and context/condition. In so doing, I surveyed a rich and varied body of academic literature, and details of the various political ideologies my interview respondents might draw upon in order to construct their own understanding and depiction of the illicit sex trade. These are matters I discuss throughout both Parts Three and Four. Before them, in the next section, I address an important facet of the political philosophies already explored: conceptualisations of the subject

2.2 Conceptualising Subjecthood

In this section, I draw out and examine a number of the concepts alluded to – but not dwelled upon - above. I do so in order to provide a thorough academic foundation for later findings chapters, in which (and in keeping with my first research question) I explore the way policy actors and documents interpret and represent the subjecthood of women who sell sex. Specifically, I explore more generic narratives of the liberal subject, the subject whose choice is curtailed, and the subject who exists in a context of oppression. In so doing, I survey the broader discourses of subjecthood and society cited, critiqued and embraced in much of the feminist theory already surveyed. I begin by exploring the liberal subject. I start by exploring

his¹³ organising tenets, before situating him within broader ideological narratives of liberalism. I then move on to consider general feminist critiques of the liberal subject. As will quickly become apparent, some such critiques speak intimately to facets of the prostitution debate already discussed. Specifically, feminist narratives which undermine the liberal emphasis on autonomy underlie the abolitionist problematisations of women's 'choice'. Finally, I discuss various theories which explore how the social field impinges upon its inhabitants and which, therefore, disrupt liberal narratives of the isolated subject. Such theories hail from both an avowedly feminist space (see Meyers, 2014; Nedelsky, 1989) and from more general academic spaces (see Bourdieu & Wacquant, 1992; Philo, 2005).

Within this discussion, I begin by surveying 'internalist' theories that explore how externalities form subjects through processes of internalisation. These theories speak to the contention of some abolitionists, that women's choices are internally curtailed by phenomena such as sex role socialisation (above). Internalist theories exist on something of a continuum, demarked by the polarities of voluntarism and determinism. For instance, while political philosophies such as liberalism claim that the subject is meaningfully detached from society and therefore entirely voluntarily, theories such as Bourdieu's 'habitus' suggest that the subject is fundamentally constituted by the internalisation of externalities and is therefore a social phenomenon. In contrast, some theories (e.g. 'relational autonomy') occupy a moderate space – entertaining both deterministic and voluntary strands. It is worth noting, at this juncture, that a slew of political, sociological and feminist theories explore the potentially deterministic nature of the subject's immersion in the social field. A number of the theories explored in this thesis – and not mentioned in forthcoming sections – pay regard to related ideas (see Bacchi, 2005; Butler, 2016). I am not therefore able to provide a comprehensive review of all relevant contributions. Rather, I have selected theoretical positions which aptly demonstrate a notable point on the continuum alluded to above and which, therefore, allow for thought-provoking contemplations. For ease of access, Figure Four (below) represents the continuum to which I refer.

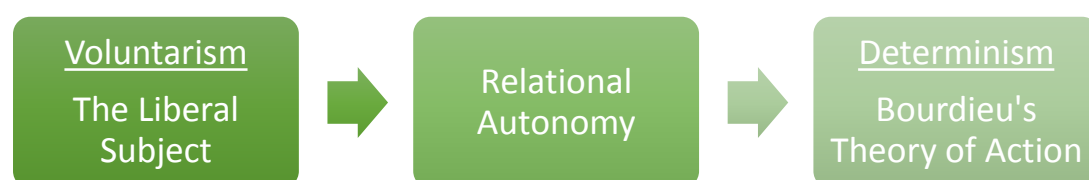


Figure 4 Continuum of internalist theories: from voluntarism to determinism

I conclude this chapter by considering one externalist theory – which explores how the social field impinges on the subject without (necessarily) playing a role in the formation of her subjectivity. As before, there are a multitude of theories one could consider when seeking to understand this mode of thinking.¹⁴ Bourdieu's theory of the social field – surveyed here as an example of a deterministic internalist theory – provides an example of such. For whilst Bourdieu frequently focuses on processes of subject formation, he also puts a great deal of emphasis on how the structure of social fields, and the availability of capital, mediate the subjects space for action. I have elected however, to focus on theories of 'vulnerability'. This focus is motivated by the concept's clear significance within English prostitution policy (see Charman, 2008; Home Office, 2004, 2010). Indeed, this is a significance I explore – through my findings - in Chapter Six. Relatedly, the deployment of vulnerability in such policies has induced considerable academic debate (see Carline,

¹³ I refer to the liberal subject as 'he' throughout this section. In so doing, I wish not to replicate gender-insensitive language norms, but rather to emphasise the feminist critique (discussed shortly) that liberalism reflects an androcentric view of society and the self. To paraphrase Nedelsky (1989, p. 7), my choice of pronoun is deliberate.

¹⁴ For an overview see Stoljar (2014). Particularly notable is the work of Oshana (1998, 2007).

2011, 2012; FitzGerald & Munro, 2012; Munro & Scoular, 2012). Thus, in turning my attention to its use, I am seizing upon the opportunity to become involved in a vibrant conversation, and to – in turn - draw from, and contribute original findings to, a growing body of scholarship.

2.2.1 Liberalism

The Liberal Subject

Before beginning my discussion of the liberal subject, I wish to highlight the notable heterogeneity of relevant scholarship and political debates (Dean, 2009). For, whilst liberal theorists display some level of consensus regarding what constitutes the liberal subject, they often provide distinct conceptual frameworks in support of their positions. Famously liberal theorists such as Kant, Descartes and Rawls all offer differing narratives, which are – in turn – distinct from common constructions of ‘homo-economicus’ (Stoljar, 2014). Their classification as ‘liberal’ theorists is therefore based on their acceptance of common and core themes, explored below.

In general, liberal theorists conceive of the subject in highly individuated terms. Simply put, the liberal subject is born and develops in isolation – insulated from the social field (Bourdieu & Wacquant, 1992; Pateman, 1988; Stoljar, 2014). External institutions and relationships are, therefore, represented as exogenous – their explanatory value, with regard to the subject and his life, is limited. Relatedly, the subject’s autonomy is conceived as unencumbered and un-relational: his decisions and behaviour are the result of rational and instrumental thought, not social immersion (Driscoll & Krook, 2012). Liberal theorists, then, view individual subjectivity as aetiologically rooted in the individual, and frame the results of such subjectivity as epistemically valuable (Topper, 2001). In keeping with this, the enemies of the liberal subject are understood to be tyrannical constraint (e.g. physical coercion) which prevent autonomy; and internal incapacitation (e.g. childhood, mental illness, or intellectual disability) which corrupt rationality (Benedet, 2013; Stoljar, 2014).

Given liberalism’s celebration of autonomy, it is perhaps unsurprising that its theorists place significant emphasis on the notion of ‘choice’ (Miriam, 2005; Murphy, 2012). To choose is to exercise one’s autonomous personhood in ways which facilitate the realisation of one’s personal desires (Hee-Kang Kim, 2004). An elevation of, and respect for, autonomy is often conceived as a liberal *ethic*, the breach of which is discouraged. Davidson suggests that:

“the individual subject is constructed as a ‘sovereign self’, an autonomous being who.....is able to make a rational decision as to whether or not to consent to any given arrangement or contract. To question whether ‘Yes’ really means ‘Yes’ would be, in effect, to question the consenting individual’s rationality, and so to insult her or him.” (2008, p. 61)

In keeping with this ethic, liberal theorists frame paternalism as an undesirable incursion on the proper practice of autonomy, and as justifiable only in cases of incapacitation (as above) or demonstrable ‘harm’ (conceived of in highly individual terms) (Benedet, 2013; Meyers, 2014; Tadros, 2011). Here, then, we can discern the foundational assumptions underpinning a liberal feminist conception of prostitution. As discussed, this view focuses on how the choice to sell sex reflects the legitimate expression of a woman’s autonomy, whilst requiring that such expression be respected and protected from curtailment (e.g. by decriminalisation) (Brooks-Gordon, 2010; Meyers, 2014; Pateman, 1988).

For the liberal subject, ‘politics’ is understood as something which exists in relationship to the state: institutional activities, such as legislating and electioneering, are conceived of in political terms, whilst the activities of private individuals are not. To subvert a famous feminist avowal (Mottier, 2002), the personal is not political. In turn, the instrumental behaviours and rational thoughts of unique beings are conceived as disassociated from the political field and, hence, as none of its concern (Driscoll & Krook, 2012). Accordingly, normative decisions regarding what constitutes the ‘good life’ are framed as falling outside of the purview of the state and are understood, instead, to belong to the subject alone. Accordingly, the individual is left free to pursue his formulation of what it means to live well (Oshana, 2007). The state, in this model, is tasked with providing the space within which moral pluralism and autonomous subjecthood may flourish. In pursuit of such objectives, it must remove obstacles to freedom and ensure negative liberty: securing the subject’s right to be left alone (Miriam, 2005). With regard to this thesis, the most compelling substantive policy example of this dimension of liberalism is the UK’s treatment of sexuality and sexual behaviour (Lacey, 2001). As outlined by the Wolfenden Report, it is understood that the private sexual proclivities and activities of subjects *should not be* defined by reference to a communitarian normativity, but should rather be understood as the expression of an asocial individuality (Grimley, 2009; Lacey, 2001; MacKinnon, 1989). More theoretically, this strand of liberal ideology arguably underpins framings of sex as bereft of inherent meaning – countering the construal of sexuality as fundamentally interconnected to personhood (section 1.2.3.). According to liberalism, sex derives meaning from the individual and his subjectivity.

In any event, liberalism is one of the most (if not *the* most) dominant political philosophies permeating the political fields of the Global North (Miriam, 2005). Whilst undoubtedly subject to constant (spatial/temporal) contextualisation and resultant modification (Dean, 2009), it continues to provide the theoretical foundation for a multitude of the legal frameworks in related jurisdictions. As briefly explored above, narratives of contractarianism, unsurprisingly, underpin much modern contract law. Similarly, as discussed in Chapter One, human rights law largely legislates for the relationship between the subject and the state, requiring the latter to protect the negative liberty and autonomous existence of the former, whilst tending to ignore social and economic contexts, as well as activities taking place in the private sphere (Qureshi, 2013).

Feminism and the Liberal Subject

As intimated, the degree to which liberal theorists – and by extension liberal feminists – subscribe to a pure conception of liberalism varies (Pateman, 1988). There are some feminist commentators who support notions of the liberal subject, endorsing its principle tenets and emphasising – above all – the importance of celebrating women’s autonomy and their right to make unencumbered choice (Benedet, 2013; Miriam, 2005; Murphy, 2012). This feminism highlights the political desirability of valuing and promoting women’s agency - focusing more on the *procedural act* of choosing than the *content* of any given choice (Murphy, 2012). In turn, this body of thought has been criticised: for effectively privatizing feminism; for failing to consider the socio-economic conditions which contextualise women’s lives; and for ignoring the role individual choice might play in the reproduction of corrosive norms (Benedet, 2013; Murphy, 2012). A significant number of feminist commentators have, however, critiqued purist liberal constructions of the subject (Ahmed, 2014; Benedet, 2013; Butler, 2014; Driscoll & Krook, 2012; Ells, 2003; Fineman, 2008; Meyers, 2010; Nedelsky, 1989; Oshana, 1998; Pateman, 1988; Stoljar, 2014). Their criticisms are many and varied, and often provide the foundations for a (critical) feminist social theory. In this subsection, I review such critiques in general terms before moving on to survey alternative theories of subjecthood.

A number of feminist theorists argue that the liberal subject is modelled on the lived experiences of the affluent white male – a man who wields significant socio-political/economic power and who, therefore, faces few obstacles when living in a liberal-capitalist state (Ahmed, 2014; Fineman, 2008). Further, it is argued that such constructions deny the day to day reality of all but an elite few (Meyers, 2010; Stoljar, 2014). Furthermore, many theorists argue that the liberal subject discursively celebrates attributes traditionally associated with masculinity (e.g. rationality, independence), whilst demeaning traits traditionally associated with femininity (e.g. creativity, dependency, care) (Driscoll & Krook, 2012; Meyers, 2010; Smart, 1990). In turn, it is argued that women are subjugated by the elevation of an androcentric self to the status of citizen subject, and the feminine self to the status of other (Stoljar, 2014). Procedurally, it is posited that liberal constructions underplay the social processes of subject formation (Butler, 2014; Miriam, 2005). Specifically, it is argued that such constructions deny the myriad consequences of circumstance, tradition, dependence and relationship with regard to both subject formation and the life-course. The mother who birthed the subject, the care-giver who raised him, the school which taught him, and the society which encompassed him, is made invisible and “the self appears to materialise on its own” (Meyers, 2010, p. 4). Thus preferences, desires, motivations, intentions, and choices are framed as solely attributable to the atomistic individual - non-coercive influence holds no explanatory value. In contrast, many feminist theorists argue that the external impact, and internalisation, of social conditions should be explored and, wherever they sustain inequalities, problematized (see Butler, 2016; Fineman, 2008; MacKinnon, 2011; Meyers, 2014; Miriam, 2005; Pateman, 1988).

Similarly, many feminist theorists are critical of the liberal dichotomization of spheres and the relatedly narrow conceptualisation of what constitutes the ‘political’ (discussed above) (Butler, 2014; Driscoll & Krook, 2012; Qureshi, 2013). In problematizing the interpersonal and social (e.g. dependency, care) - as well as power relations which filter through all spheres of existence - feminist scholars politicise the “dynamics of everyday life” (Driscoll & Krook, 2012). In more concrete terms, and as already discussed, feminist theorists point to how enshrinement of the public/private binary in policy and law has left women without the kinds of assistance and protection they require. As intimated, some theorists would argue that the continued (albeit partial) tolerance of prostitution facilitated by the separate spheres doctrine has prevented states from exploring the harms done by prostitution, to both women who sell sex and women as a class (Benedet, 2013; Miriam, 2005; Pateman, 1988). Furthermore, and relatedly, some feminist theorists argue that the individuation implicit in constructions of the liberal subject, mean that related narratives lack the explanatory power to elucidate processes by which women *as a class* experience structural and cultural inequality (Benedet, 2013; Driscoll & Krook, 2012). Finally, many point to ‘hard cases’ of self-abnegation and complicity in oppression (Stoljar, 2014) and question the liberal assumption that such phenomena can be explained by reference to, purely, autonomous ‘choice’ (Benedet, 2013; Driscoll & Krook, 2012). Some would cite prostitution as an example of such a ‘hard case’ (see MacKinnon, 2011). In response, theorists offer alternative conceptualisations of the subject and her relationship to society. In what follows I survey some illustrative examples – examples which occupy a moderate space on the continuum depicted in Figure Four.

2.2.2 Internalist Theories

Relational Autonomy

As their name would suggest, relational autonomy theories are premised on a rejection of the atomistic liberal subject and an exploration of the role relationality plays in subject formation (Meyers, 2010; Nedelsky, 1989). Specifically, they are organised around the proposition that human subjects are

contextually embedded, inherently dependent and, consequently, heavily influenced by social forces. These theories contest claims that autonomous subjects are self-made; and instead contend that the subject's 'autonomy' is heavily influenced by the *internalisation of externalities* (Hee-Kang Kim, 2004; Meyers, 2014; Nedelsky, 1989; Stoljar, 2014). Accordingly, the subject is no longer conceived of as isolated but, rather, as an inherently social phenomenon. Nonetheless, many related theories continue to frame autonomy as a central component of subjecthood - calling for a more social, a more nuanced – often a more feminist - understanding of its constitution (Anderson, 2003; Meyers, 2010; Nedelsky, 1989). Additionally, a number of relevant theorists see social influence as causative, rather than constitutive. That is to say they understand social forces to act upon pre-existing subjects (Hee-Kang Kim, 2004; Meyers, 2010). Relatedly, many relational autonomy theorists argue that subjects can either identify their 'true self' (Christman, 2001; Meyers, 2010) - or find a way to live according to their 'own laws' (Nedelsky, 1989) - through critical cognitive work. If we cast our minds back, momentarily, to the continuum explored above - punctuated by poles of the voluntary and the determined subject – we can begin to understand how these moderating components of relational autonomy position it somewhere between the two extremes.

From these general propositions, theories of relational autonomy vary somewhat. *Adaptive preference theory* (APT) provides a key example. In summary, APT suggests that a subject situated within delimiting social circumstances - presented with nothing but a narrow range of options - will unconsciously alter her preferences to fit those options. In short, the subject of APT pre-reflexively modifies her *truly* autonomous desires in order to cope with a stultifying context (Hee-Kang Kim, 2004; Stoljar, 2014). This adaptation is, however, masked and naturalised: the adapted subject takes full ownership of her choices - internally and externally. According to this model, internalised externalities impinge upon a subject's cognitive ability to critically evaluate the world (Hee-Kang Kim, 2004). When one considers the 'hard-cases' of self-abnegation alluded to above, the utility of APT becomes all the more apparent. By positing a causative relationship between an oppressive context and its acceptance, this model provides an explanatory narrative for women's complicity in circumstances/activities which – from an 'objective' standpoint – could be considered problematic. Applied to prostitution, it would likely be posited that women who choose prostitution – and experience that choice as legitimate – have in fact been influenced by the delimiting forces of gender ideology, socio-economic disadvantage, and other forms of oppression (e.g. racism, ageism). For instance, whilst MacKinnon (2011) does not cite APT specifically, she does explore how choice becomes essentially illusory when the subject is formed by, and situated in, delimiting forces such as poverty, caste and colonialism.

Other theorists pay less heed to the constraints or limitations of a material context and focus more on the symbolic terrain of the social field (Hee-Kang Kim, 2004; Meyers, 2010, 2014). Meyers (2014) argues that oppressive ideologies can be internalised and subsequently work to distort the proper autonomy of the 'true self'. This internalisation of macro-level discourses, Meyers argues, can cause a subject to become complicit in his own oppression. Thus, her work similarly provides a way of understanding hard cases of self-abnegation. With regard to women as a class, the oppressive narratives of note would generally include gender and sex-role ideology (Atkinson, Greenstein, & Lang, 2005; Hee-Kang Kim, 2004). Her work somewhat differs from APT, then, as the subject Meyers imagines could exist within a materially freeing context, but continue to internalise oppression. The two theories are not straightforwardly distinct, however, as oppressive ideologies clearly play a fairly significant role in structuring materiality (Fairclough, 2010).

Christman (2001), on the other hand, argues that a desire can be understood as autonomous - regardless of its relationship to potentially oppressive narratives - so long as the subject is not 'alienated' from it. By alienation he means the experience of negative affect about, or ambivalence over, the desire in question. His position varies slightly from Meyers', insofar as he places greater emphasis on the lived experience of oppressive inculcation, and less on the content of oppressive narratives per se. In any event, Christman posits that "the person is autonomous...if, were piecemeal reflection in light of the history of the (characteristics) development to take place, she would not feel deeply alienated from the characteristic in question" (2001, p. 202). This, incidentally, gives implicit voice to a common theme underpinning most theories of relational autonomy - one which sets it apart from classical liberalism (Hee-Kang Kim, 2004). In summary, relational autonomy theorists argue that there is no ideal subject, no model level of (in)-dependence, no ethical requirement to be more or less responsible. Unlike liberalism, then, subjects can behave as irrationally as they please, and still be considered full subjects (Stoljar, 2014). What scholars frame as key with regard to the realisation of one's full subjecthood, then, is the degree to which one's true self is reflected in one's feelings, perspectives, and behaviours. If one's true self wishes to self-abnegate to a controlling husband - so be it. If one's true self craves splendid isolation and independence - that, too, is entirely acceptable. Indeed, some would go so far as to suggest that a subject could be considered meaningfully autonomous whilst in indentured servitude - as long as their true self was satisfied by that state of affairs (Oshana, 2007). In sum, so long as one honours one's true self, one can be viewed as an autonomous and full subject.

Relatedly, many relational autonomy theorists claim that the undesirable modification of one's preferences - through the internalisation of (oppressive) norms - causes a kind of angst, characterised by feelings of frustration, regret and internal conflict (Christman, 2001; Meyers, 2014; Oshana, 2007). Levels of frustration/alienation therefore provide an indicator of the degree to which one's subjectivity reflects one's true self. In turn, such theorists contend that (oppressive) socialisation can be overcome by nurturing and applying certain skills which ameliorate that angst (Meyers, 2014; Stoljar, 2014). These skills allow actors to overcome oppressive socialisation through "self-discovery, self-definition and self-direction" (Meyers, 2014). Meyers (2014), for instance, argues that through introspection, communication, imagination, analysis and self-nurturing, subjects may counter socialisation and access their *true selves*. She tempers this claim by suggesting that the development of such skills could be deleteriously stymied by oppressive practices which, in turn, "compound the threat internalised oppression poses" (Meyers, 2010, p. 8). In any event, by offering self-reflection and self-discovery as a panacea to socialisation, theorists like Meyers largely individualise the process of combatting oppressive norms and - in turn - reject autonomy-undermining paternalistic interferences (Meyers, 2014; Stoljar, 2014).

In general terms, theories like APT and relational autonomy, reflect discourses of 'false consciousness'. False consciousness is the notion that internalised oppression transforms a subject's cognitive processes and personal perspectives in such a way that they begin to reflect the interests of her oppressor. The similarity between APT and relational autonomy, and false consciousness, is particularly worthy of note, as the concept of false consciousness is frequently invoked in arguments regarding prostitution (Davidson, 1998; Overall, 1992). In sum it is suggested that women sell sex, not because they genuinely wish to do so, but because they have internalised gender inequality and are acting in the interests of men. I raise this issue, as false consciousness was invoked by respondents to this thesis - but only when they sought to counter such notions, and never in support of its basic tenets. This is a matter I discuss at some length in Chapter Seven.

In any event, Meyers (2014) has applied her theory of relational autonomy to the topic of prostitution. In summary, Meyers takes an avowedly liberal approach and argues that women should be permitted to sell sex *if they so wish*. In turn, she suggests that those outside the sex industry - who might wish to challenge or modify the conditions of prostitution – should abstain from doing so. Their actions, she argues, undermine the autonomous capacities of an already maligned class. She thus celebrates the activities of women in prostitution, and condemns the paternalistic impulses of abolitionist reformers. However, and in keeping with her theory of relational autonomy, she suggests that women who sell sex *might* be subject to the effects of oppressive socialisation and that this socialisation might influence their decisions regarding prostitution. She therefore suggests that women who sell sex be emboldened to engage their critical, imaginative and self-defining capacities. In so doing, Meyers suggests, these women will be able assess whether selling sex reflects the desires of their true selves. In turn, she argues that changes to the sex industry should be brought about by allowing women who sell sex to join forces and “challenge and change cultural doctrines and institutional arrangements that pathologise or dismiss their values and projects” (2014, p. 435). Her approach is to promote individual and then collective action – but all within the service of self-determination. She classifies her position as a “feminist...liberal approach” (2014, p. 427), neatly demonstrating the point I have alluded to above – namely, that liberalism is a heterogeneous discourse, with multiple strands of varying degrees of ‘purity’.

This qualified acceptance of liberal presuppositions, makes theories of relational autonomy susceptible to a version of the critiques explored in section 2.2.1. Most compellingly, the notion of a ‘true self’ has been subject to heavy criticism. For instance, Oshana (1998) suggests that the existence of such an entity is questionable and that, at the very least, relational autonomy theories lack an examination of what, precisely, the true self is. In addition, she – and others (e.g. Hee-Kang Kim, 2004) - criticise these theories narratives for underplaying the formative impact of relationality and dependency, and the potentially social nature of our *fundamental* selves. Theories of relational autonomy, much like liberalism, assume the existence of an asocial, if not pre-social, inner-subject which somehow remains immune to the intervention of oppressive norms and conditions (Hee-Kang Kim, 2004). They therefore foreclose upon the possibility that the social field is integral, rather than secondary, to subject formation. Such possibilities are explored in more depth below. Finally, Oshana argues that theories which focus on the internalisation of oppressive norms, and amelioration via individuated cognitive work, minimise the degree to which factors external to the subject (e.g. the market, the family) curtail autonomy regardless of how ‘true’ the self is.

*A Bourdieusian Subject*¹⁵

At this time, I wish to consider a theory of the ‘subject’ which inhabits a more deterministic space on the socialisation continuum alluded to above: Bourdieu’s (1977, 2001, 2006; 1992) theory of action. Bourdieu’s work provides an example of a ‘constitutive’ and deterministic internalist theory, and thus presents an opportunity to round off these discussions.

Theory of Action

Bourdieu’s theory of action is predicated on a relative dissolution of the discrete categories of the social and the subject, and on an increased reliance on the “primacy of relations” (1992, p. 15). It rejects sociological antimonies such as the internal and external, the subject and the social, the macro and the

¹⁵ Thanks go to the facilitators and participants of workshops run during the BSA Bourdieu Conference 2016 – notably, Professor Diane Reay, Professor Elizabeth Silva, Dr Nicola Ingram and Dr Michaela Benson – for clarification and explanation.

micro, and views these seemingly oppositional forces as irrevocably bound and bilaterally constitutive¹⁶ (McNay, 1999). His social theory is, thus, “the dialectic of the internalisation of the externality and the externalisation of internality” (Bourdieu, 1977, p. 72). In furtherance of this objective, Bourdieu organises his theory around a triad of interrelated concepts – habitus, capital and field – each of which must be considered in concert with the other two. With regard to this Chapter, the concept of habitus presents the most significant explanatory value but, as Bourdieu suggests, such a notion, “can be defined, but only within the theoretical system [it] constitutes, not in isolation” (1992, p. 96). Accordingly, in what follows, I consider each concept in turn before drawing all together to explore their wider implications with regard to subject formation.

A field, Bourdieu holds, is an objectively existing conceptual space which forms around a ‘central stake’ (Dubois, 2012), e.g. knowledge production. Fields are established, developed and sustained by variously positioned subjects: each existing relationally with the conceptual space and each other; each struggling to achieve traction, primacy, and dominance. In theorising the ‘field’, Bourdieu places great emphasis on the importance of *positionality* and, relatedly, the objective relationships existing between different subject positions. These factors, Bourdieu argues, both impose determinations on actors (see habitus) and give the field its character. The character of a field is understood to be comprised of specific logics, regularities, rules and norms which shape behaviour, define the conditions which distinguish dominance and, therefore, structure struggles. Importantly, a field is not understood to result from a deliberative or calculative act on the part of an individual or collective, and those traversing it with expert astuteness are not necessarily conceived as conscious of their skill – rather their immersion in the field allows them to develop a ‘feel for the game’. Each field is distinct from, but homologous with, others.

Capital is an asset which allows actors to negotiate the various conceptual spaces (fields) they inhabit. There are three kinds of capital: social, cultural and material. Importantly, each capital form can be translated into symbolic capital when grasped through language or “categories of perception” (Bourdieu & Wacquant, 1992, p. 119). To illustrate, when expensive goods are perceived as signifiers of ‘high class’, material capital has been transformed into symbolic capital. The configuration of capital or “capital portfolio” (Green, 2011) required to become relatively dominant in a specific field, will depend on the rules and regularities of that field. So, whilst two actors may have a similar aggregate amount of capital, one may be able to achieve more dominance than the other, insofar as their configuration is preferable (e.g. more cultural, less material). And of course those with significant levels of capital, and the correct capital configuration, are able to exert influence on the structure of the field but, in the words of Bourdieu, “must always contend with the resistance, the claims, and the contention, political or otherwise, of the dominated” (1992, p. 119).

Habitus is, as intimated above, the most relevant concept with regard to subject formation, and therefore this Chapter. In short, habitus consists of a configuration of dispositions and habits which result from a subject’s “durable immersion” (Bourdieu & Wacquant, 1992, p. 19) within the multiple fields of her existence (e.g. church, the family). Habitus results from a process of *pre-reflexive inculcation* which forms consciousness but is not consciously engaged. This, in turn, allows actors to develop a “social sensitivity” (Bourdieu & Wacquant, 1992, p. 21) allowing for pre-reflexive negotiation of social terrains “in an inspired manner without...hindsight and calculative reason” (Bourdieu & Wacquant, 1992, p. 21). As Bourdieu says,

¹⁶ In reflection of this position, Bourdieu does not routinely refer to the ‘subject’. I will, however, retain the term in order to maintain the cogency of this Chapter’s narrative.

“when habitus encounters a social world of which it is the product, it is like a fish in water: it does not feel the weight of the water, and it takes the world about itself for granted” (Bourdieu & Wacquant, 1992, p. 127). Thus, the inherently contingent social world is naturalised. Bourdieu labels this “genesis amnesia” (1977, p. 79) – the subject does not, cannot, appreciate the contingency of his dispositions.

The notion of habitus recommends itself in a number of ways. Principally, it provides a sophisticated and persuasive account of how the subject is formed in relation to her surroundings. Additionally, it allows for a significant degree of multidimensionality (McNay, 1999; Silva, 2016): in a vein similar to Crenshaw’s (1991) theory of intersectionality (discussed in Chapter Three), habitus constructs the subject as the product of multiple positions/experiences. Each subject experiences a “social trajectory strictly speaking irreducible to any other” as it is “impossible for all members of the same class....to have had the same experiences, in the same order” (Bourdieu, 1977, p. 86). In turn, this allows for a conception of the social subject which is complex and multifaceted. Indeed, in speaking on gender, Bourdieu holds that “there are of course very great variations according to social position, age and previous experience” (2001, p. 20).

The Bourdieusian subject disrupts the precepts of liberalism. As Topper observes, Bourdieu’s theory of action challenges the “epistemic privileging of ‘primary experience’” and the notion that subjects are “atomistic, isolated and wilful” (2001, p. 33). Rather, the Bourdieusian subject is an inherently and inescapably social phenomenon – a product of her socialisation, her ‘durable immersion’, her internalization of the external. As Wacquant suggests, “persons at their most personal are essentially the personification of exigencies actually or potentially inscribed in the structure of the field” (1992, p. 44). This, then, situates Bourdieu’s theory of action on the far right end of the voluntary/determined continuum depicted in Figure Four. Unlike under liberalism and relational autonomy, there is no pre-social or true self. Indeed, in contrast with theories of the latter, *all* Bourdieusian subjects are *constituted* by the social field - regardless of their positionality. And, as the social is constitutive, the notion of accessing an authentic self becomes unintelligible – no amount of critical cognitive skills could entirely counter the Bourdieusian subject’s ingrained socialisation. Accordingly, a Bourdieusian analysis of prostitution would necessarily frame women who sell sex (and all those within and out-with the illicit sex industry) as social phenomena – products of durable immersion within a range of fields, embodying dispositions and habits reflective of those fields, and differentiated by unique social trajectories as well as distinct positionalities. Consequently, their subjectivity would necessarily be understood by reference to external conditions – the epistemic privileging of individual experience would draw to a close. Such an analysis could, then, assist in an articulation of the abolitionist problematisation of choice.

Thus far, I have surveyed three theories which occupy different spaces on the internalist theory continuum depicted above, and have illustrated the various ways in which social forces can be understood to shape/form the subject. So, whilst liberalism conceives of the subject as an atomised and asocial entity; theories of relational autonomy frequently conceive of social forces as causally related in subject formation; and Bourdieu understands the subject to be constituted, formed, by her immersion in the social field. In so doing, I have laid an academic foundation for a discussion of my findings, and the way policy-actors and documents interpret and represent the subjecthood of women in prostitution. This is an endeavour I pursue in Part Three. However, though compelling, these narratives only provide a partial portrait, insofar as they do not explain how externality could facilitate/delimit a subject without working through processes of internalisation, e.g. by curtailing a subject’s space for action, delimiting her development, or curtailing her

choices.¹⁷ It is necessary, then, to discuss an ‘externalist theory’. Before I do so however, I wish to explore a somewhat tangential but highly important political philosophy – neoliberalism.

The Neoliberal Subject

The neoliberal subject occupies an uneasy space in discussions of the causal/constitutive role of social immersion. This is partially due to the fact that it is an ideology which, in many ways, embraces the normative suppositions of liberalism whilst deviating from the theoretical foundations which make such suppositions intelligible. And, to complicate matters further, neoliberalism appears to be an ideology not generally subscribed to but, rather, retrospectively identified by critics of its deployment. Indeed, ‘neoliberal’ has been dubbed a ‘political swearword’ (Hartwich & Sally, 2009). It would therefore be challenging to claim that neoliberal theorists advocate on behalf of a particular model of subject formation, as few appear to identify with the ideology *per se*. It is, however, both an intellectual curiosity and a narrative of significant consequence with regard to much emergent policy in the UK and beyond (Biebricher & Johnson, 2012; Brown, 2003; Corbett & Walker, 2012; Howe, 2006; Leon & Shdaimah, 2012; Pathak, 2013). Indeed, as intimated in my introductory chapter, and as explored in Chapters Six to Eight, it is an ideology which appears to permeate much of the legal and political settlement surrounding prostitution in England (see Hubbard et al., 2008; Matthews, 2008; Munro & Scoular, 2012). I will therefore dedicate some space to discussing its central tenets and resultant conceptualisations of the subject.

To begin, both Brown (2003) and Coleman (2013) stress that neoliberalism is a normative constructivist project which permeates a multitude of domains: from state security, to the provision of education, to the constitution of the subject. As Brown explains, neoliberalism “does not presume the ontological given-ness of a thoroughgoing economic rationality for all domains of society but rather takes as its task the development, dissemination, and institutionalization of such a rationality” (Brown, 2003, pp. 4–5). The most potent feature of neoliberalism’s constructivist project, with regard to this chapter, is its supposed commitment to constituting subjects in keeping with its political rationality (Barnett, Clarke, Cloke, & Malpass, 2008; Brown, 2003). This feature, as intimated above, explains both its inclusion in discussions of internalist theories of the subject and society, and my contention that it is something of a political oddity. As intimated, there is a contradiction at the heart of neoliberalism: whilst it promotes a radically liberal agenda of individualism, it also seeks to inculcate individuals in such a way that they become the subject and object of governance (Brown, 2003; Dean, 2009; Phoenix, 2007; Scott, 2011). Neoliberal states are often identified as those which reorder the exercise of political power, turning away from governing through institutions, preferring instead to mobilise the cognitive capacities subjects. In so doing, neoliberal politics seek to create “synergies between (the state’s objectives) and the motivations and identifications of individuals” (Barnett et al., 2008). The neoliberal subject does not, therefore, spring into existence but is rather ‘hailed’ into being by state planners and actors (Barnett et al., 2008). Accordingly, the state creates policies and frameworks which shape, influence, and configure the subject. Legal and informal norms, sanctions and implied conventions, work to inculcate the subject in the ways of proper citizenship (Biebricher & Johnson, 2012; Dean, 2009). If we cast our minds back to my discussion of contemporary prostitution policy, and recent modes of governance which seek to responsibilise women who sell sex through therapeutic and criminal intervention, it should become clear how neoliberalism functions in practice. Here, attempts to constitute the subject through individualised counselling and disincentives, allow

¹⁷ Bourdieu’s theory of action can, and does, provide a more comprehensive account of the relationship between subject and field. However, to allow for a more thorough review of salient literature I have chosen to refrain from discussing this dimension of his work.

the state to create self-governing women who sell sex (or, more accurately, desist from doing so) (Scott, 2011)

In any event, the constructivist efforts of neoliberalism can meaningfully be conceptualised as normative, insofar as they seek not only to govern citizens through inculcation, but also to promote a certain *kind* of embodiment. In brief, the ideal subject of neoliberalism complements the creation and sustenance of a strong market economy and small welfare state - the latter being viewed as something which can ‘crowd out’ the former (Corbett & Walker, 2012). She is, in short, a rational and entrepreneurial individual, who takes full responsibility for all features of her own life (Brown, 2003; Oksala, 2013). She is required to behave autonomously, to view self-care as the principle function of her existence, and to conceive of herself as a calculative actor who achieves success by way of cost benefit analyses and purposeful deliberation (Brown, 2003; Stringer, 2014). In turn, she is held fully accountable for the consequences of her actions, and is hyper-responsibilised, regardless of external constraint or oppressive socialisation (Baker, 2008; Biebricher & Johnson, 2012; Brown, 2003; Leon & Shdaimah, 2012). Stratifications patterned around gender, race, and poverty are largely ignored or denied (Baker, 2008; Brown, 2003; Lissovoy, 2013) - their manifestation in the individual ‘flattened’ (Baker, 2008, p. 55), their instrumentality repudiated. The subject of neoliberalism is therefore *framed as* ahistorical and asocial (despite his socialisation) (Lissovoy, 2013; Philo, 2005).

In Summary: Internalist Theories

As my discussions of relational autonomy, the Bourdieusian subject and neoliberalism illustrate, there are an impressive array of theories which expound on the causative and constitutive internalisation of externalities. In contrast with liberalism, then, such theories frame, to varying degrees, the subject as a social phenomenon. In turn, narratives which hold that autonomy is the attribute of an individual – and that choice is its manifestation – are disrupted and complicated. And from this disruption, critiques of prostitution are able to form. The degree to which social immersion shapes the subject is, however, a matter of debate among critical social theorists. For whilst theories of relational autonomy entertain both voluntary and deterministic strands; Bourdieu’s theory of habitus suggests that the subject is largely constituted and determined by the social world. This, then, speaks to how irrevocable socialisation is, how formative. In turn, my exploration of internalist theories has laid the groundwork for, in accordance with my first research question, a thorough and sophisticated discussion regarding the way policy actors and documents represent the subjecthood of women in prostitution (Part Three). As already intimated, however, such theories do not account for how the social world might impinge upon the subject *without* transforming her inner world. What of external forces which curtail choice without necessarily socialising the subject, e.g. poverty? In what follows, I explore one theory which explores how the external materiality of the social world can be understood to partially determine the subject’s life-course and well-being.

2.2.3 Externalist Theory

There are many notable externalist theories which explore how externalities externally mediate the existence of individuals. Here, as intimated above, I focus on Fineman’s (2008; 2013) ‘vulnerability analysis’ and evaluate/critique her theoretical propositions by reference to other theorists who similarly write on vulnerability, notably Butler (2014, 2016). As discussed in Chapter One, the concept of vulnerability has significance with regard to prostitution policy and related debates. My decision to foreground the work of Fineman, rather than other vulnerability theorists, is motivated by her focus on the utility of vulnerability as a socio-legal conceptualisation of the subject. Fineman explicitly ties her work to a program of positive

policy action and in so doing, entwines political philosophy with a consideration of social policy and law. Given the focus of this thesis, this orientation provides a number of theoretical opportunities.

Vulnerability

At its core, Fineman's thesis is organised around the proposition that vulnerability is a universal and inescapable trait – one made empirically evident by the human body's susceptibility to injury, sickness, and inevitable death. Despite stressing essentiality, however, Fineman similarly emphasises the particularity of vulnerability - suggesting that the precise manner in which vulnerability presents is distinct, localised, and individual. She argues that the relative intensity of a subject's vulnerability can be, and is, mediated by her many and various relationships/dependencies. Thus, whilst all subjects are susceptible to harm – as a result of their vulnerability – the likelihood of such harm befalling them, and the severity of compound vulnerabilities arising from such harm, differs. Ahmed (though admittedly not in the service of Fineman) gives powerful voice to this idea:

“Privilege is a buffer zone, how much you have to fall back on when you lose something. Privilege does not mean we are invulnerable: things happen, shit happens. Privilege can however reduce the costs of vulnerability, so if things break down, if you break down, you are more likely to be looked after.” (2014 n.p.)

Thus, though framed as universal, vulnerability is also conceived as socio-historical: its precise embodiment is shaped by the social terrain, and the subject's related positionality. At present, Fineman argues, social conditions formed through state activity (and naturalised through liberal discourses of non-interventionism) mediate the vulnerabilities of some whilst neglecting those of others. In turn, Fineman asks us to shift our gaze away from the individual subject and towards the network of dependencies which contextualise her. This facilitates a problematisation of both disadvantage *and* privilege – of the relationships which ensure some have too little, whilst others have too much. To illustrate: it is not disability which makes work difficult, but the social conditions of work (at least partially structured by the state), which fail to respond to the particularities and diversities of vulnerability - and which favour some embodiments over others.

Butler (2016) similarly frames vulnerability as a universal and embodied state, mediated by dependencies and relationships. She argues that vulnerability necessitates dependency (insofar as we require care) and that such dependency both ameliorates vulnerability and provides the context within which abuses of those vulnerabilities occur. Butler entertains a somewhat more expansive notion of the implications of dependency, conceiving of it both as something which confers disadvantage and/or privilege and as fundamental to understanding the nature of the subject. “What I am suggesting” she claims, “is that it is not just that this body or that body is bound up in a network of relations, but that the body...by definition is defined by the relation that makes its own life and action possible” (2014, p. 103). Here, she follows Bourdieu in disrupting the antinomies of subject and object, internal and external – suggesting that the body is “a social phenomenon” (Butler, 2016, p. 33), only intelligible via an appreciation of its context. In any event, Butler conceives of vulnerability as a state of permeability, of inexorable connectedness. In turn, this suggests that Butler sees the dependencies made necessary by our vulnerability as subject forming – as not only impinging on the subject from the outside, but as constitutive. Given the comprehensive role Butler awards vulnerability, it is perhaps unsurprising that she goes so far as to present this facet of existence as facilitating the spectrum of human experience - from beauty and joy, to pain and suffering:

“The fact that one's body is never fully one's own, bounded and self-referential, is the condition of passionate encounter, of desire, of longing, and of those modes of address and addressability which the feeling of aliveness depend on. But the entire world of

unwilled contact also follows from the fact that the body finds its survivability in social space and time; and this exposure or dispossession is precisely what is exploited in the case of unwilled coercion, constraint, physical injury, violence” (2016, p. 55).

This dimension of Butler’s work, I would contend, introduces a compellingly nuanced and empowering narrative to discussions of vulnerability: empowering insofar as vulnerability ceases to be a disquieting trait in need of amelioration, and instead becomes a site of possibility and progress. In turn, it seems to capture something of the complicated nature of lived experience – so often characterised by an entangled mixture of good and bad.

A Critique of Liberalism

Both Fineman and Butler emphasise how their theories of vulnerability disrupt/contest liberalism’s dependence on the individuated subject. In highlighting how dependencies, institutional or otherwise, necessarily inform human experience, they paint the de-contextualised individual of liberalism as a political fiction. Butler argues narratives of vulnerability, “time and again call some aspect of (the subject’s) discreteness into question” (2014, p. 247), whilst Fineman suggests that “our current system has been built upon myths of autonomy and independence and thus fails to reflect the vulnerable as well as dependent nature of the human condition” (Fineman, 2008, p. 19). Relatedly, both theorists stress the existence of factors over which the vulnerable subject *has no control* – factors which pre-date the subject, which contextualise the subject without her express consent, which play a deterministic role in the subject’s life. Fineman argues that “understanding vulnerability begins with the realisation that many...events are ultimately beyond human control” (Fineman, 2008, p. 9), whilst Butler suggests, “that the body invariably comes up against the outside world is a sign of the gender predicament of unwilled proximity to others and to circumstances beyond one’s control” (Butler, 2016, p. 34). These claims throw the neoliberal notion of ‘responsibilization’ (discussed in Chapters One and Two) into stark relief. Indeed, Butler confronts the matter of responsibilization head-on, suggesting that what and whom one can be made responsible for – given one’s inherent relationality – seems to be a matter of some complexity. In any event, it would seem apparent that a vulnerability analysis facilitates a critical appraisal of dominant discursive trends and their material effects. It could, for example, be used to explore and contest the ideological assumptions underpinning the use of arrest referral schemes for women involved in prostitution (see Chapter One). As already discussed, these diversionary programs are predicated on the supposition that a woman’s ‘conduct’ can be appropriately dealt with through therapeutic intervention. When subjected to a vulnerability analysis, this supposition is disrupted, insofar as it fails to account for the multitude of relational dependencies – existing beyond the individual’s control – which structure women’s lives and, in turn, their decisions to sell sex. Indeed, Fineman would suggest it necessary to focus on addressing the state’s failure to properly address its own role in shaping lives.

Both Fineman and Butler argue that in framing the subject as vulnerable, a normative and ethical obligation is formed. For instance, Butler claims that “the postulation of a generalised precariousness which calls into question the ontology of individualism implies....certain normative consequences” (2016, p. 33). In sum, vulnerability – and the dependencies it implicates – suggests that subjects, and the institutions they create, have a responsibility to look after one another. But whilst Butler seems to support a broad ethic of ‘responsibility’, Fineman frames such obligations as belonging to the state which should, she suggests, become ‘responsive’ to the diverse needs of its various and varying citizens. “The ultimate objective of the vulnerability analysis”, Fineman claims, “is to argue that the state must be more responsive to, and responsible for, vulnerability” (Fineman, 2008, p. 13). In developing this objective she draws explicitly on

the work of Kirby (2006), who frames the state as involved in the mediation of vulnerability through the conferral of material, human and social assets (e.g. money, health, family). Here, Fineman and Kirby appear to echo Bourdieu's conception of subject positionality, and its mediation through material, cultural and symbolic capital (discussed above). Fineman and Bourdieu diverge, however, with regard to how they conceptualise the 'state'. Fineman places the state at the very centre of her analysis, framing it as a recognisably bounded institution bestowed with the powerful potential to radically transform the life-course of subjects. In so doing, she seems to reify a state/subject dualism. Conversely, Bourdieu dismisses the idea that "the state is a well-defined, clearly bounded and unitary reality which stands in a relation of externality with outside forces" and argues, instead, that states should be understood as "the ensemble of fields that are the site of struggles in which what is at stake is....the monopoly of legitimate symbolic violence, i.e., the power to constitute and to impose as *universal and universally applicable*....a common set of coercive norms" (1992, p. 112). Thus, Bourdieu's conceptualisation of capital, its conferral and value, relies on a much more differentiated conceptualisation of power and its exercise. This may, in turn, provide a space within which to explore some of the weaker aspects of Fineman's thesis and mount a critique. This is a matter I address below. Before I do so, however, I wish to briefly explore Fineman's conception of the 'responsive state' a little further.

In summary, Fineman frames her responsive state as a panacea for an ultimately deficient liberal agenda of equality. This agenda, Fineman explains, informs discrimination legislation, which (when enforced) promotes sameness of treatment, and does not challenge how existing institutional arrangements structure inequality. Relatedly, Fineman goes on to suggest that by focusing on the plight of pre-conceived marginal groups, discrimination legislation fails to attend to the myriad ways disadvantage manifests (e.g. through socio-economic disadvantage). Additionally, Fineman contends that in focusing on marginality, a discrimination approach fails to account for, and redress, privilege. A liberal equality framework, in short, is concerned with the otherness of certain groups, and not on the distribution of resources and opportunities in general. Here, Fineman seems to echo O'Neill's (2010) critique of dominant narratives of prostitution. These narratives, O'Neill posits, lean too heavily on the concepts of identity and status, and too little on discourses which problematize the conditions within which women sell sex (e.g. wealth distribution). Something of an injustice is performed, O'Neill suggests, by focusing on a group of marginalised individuals, rather than the factors which marginalise them. In any event, Fineman moves on to explore how - by focusing on protected characteristics such as gender and ethnicity - the discrimination agenda struggles to explain how some individuals are able to offset the disadvantage which might be conferred by their identity.

Moving on, Fineman also critiques the liberal method of redressing equality (e.g. demarking protected categories) for taking an overly absolutist approach to the functionality of disadvantage – it does not, she suggests, account for how privilege and disadvantage intersect in such a way that one offsets the other. She argues that "focusing on the interactions of asset conferring institutions makes clear why some individuals can manoeuvre past disadvantage typically disassociated with our existing discrimination categories, even triumph, in a 'white man's world'" (2008, p. 15). Here, again, Fineman's conceptualisation of assets and their functionality parallels Bourdieu. For whilst Fineman argues that the acquisition of certain assets (e.g. education) facilitates the circumvention of disadvantage; Bourdieu argues that the possession of a favourable capital configuration may allow a subject to succeed despite the fact they suffer a relative deficit in one particular capital form (e.g. cultural) (Green, 2011). In addition, Fineman's exploration of how conferred assets may work in union to create different positionalities for subjects ostensibly of the same social cohort, echoes theories of intersectionality (see Carbado, Crenshaw, Mays, & Tomlinson, 2013;

Crenshaw, 1991) – which explore how privileges and disadvantages ‘intersect’ - and, indeed, disadvantage and disadvantage - to variously compound and alleviate raced, gendered, aged etc. oppressions. Thus, Fineman’s work can be situated in a rich tradition of critical social theory which seeks to disrupt categories of identity and expose the limitations of liberalism. However, as intimated above, Fineman deviates from such traditions in her conceptualisations of, and relative reverence for, the state. In what follows, I briefly outline some critiques which focus on this peculiarity, before moving on to explore some of the broader concerns theorists express regarding vulnerability as a concept.

Critiques of the Vulnerability Thesis

Fineman’s calls for state action have been subject to some criticism (see Cloud, 2013; Coyle, 2013; Munro & Scoular, 2012). For instance, both Cloud (2013) and Coyle (2013) express concern regarding the interventionist nature of Fineman’s ‘responsive state’, and the consequent potential for authoritarian rule. In turn, they express a preference for the non-interventionism of liberalism. Fineman is clearly cognizant of such criticisms, and makes mention of them in her work (2008; 2013). She counters by highlighting her contention that state institutions have – at least historically - shaped the social space and how, in naturalising such configurations, contemporary governments reproduce and reify an unfavourable terrain. She therefore tries to demystify and denaturalise social conditions and frame the state as more active than passive. Moving on, Munro and Scoular (2012) have argued that, in advocating for vulnerability’s translation into governmental policies, theorists such as Fineman have paid insufficient regard to the “forces and power relations that may mediate this process, and the ways in which the concept of vulnerability might be used (or abused) in the furtherance of regressive, as well as progressive, political or social agendas” (Munro & Scoular, 2012, p. 200). Here, then, they express concern regarding how dominant, regressive trends within governance (e.g. neoliberalism), may influence the way narratives of vulnerability are represented when re-contextualised within policy.

Relatedly, a number of vulnerability theorists have variously acknowledged, and articulated, concerns regarding vulnerability’s particular susceptibility to regressive resignification - expressing anxiety regarding the concepts relationship to arcane narratives of inherent feminine fragility. Butler observes that “our scepticism about vulnerability is, I wager, quite enormous” before going on to say that “women have too long been associated with vulnerability, and there is no clear way to derive an ethics, much less a politics, from that notion” (2014, p. 99). Similarly, Munro and Scoular argue, with regard to prostitution policy, that ‘vulnerability’ is “tied up so intimately in femininity and to the body...that analyses of the transactional and structural conditions of commercial sex are often side-lined” (2012, p. 201). In a similar vein, some have articulated concern regarding the term’s apparent susceptibility to individualising (neoliberal) resignification - which deflect attention away from a social and structural analysis, and focus too absolutely on the wounded body of the subject (FitzGerald & Munro, 2012; Philo, 2005). Fineman, however, frames the relative discursive instability of vulnerability as a political prospect: its ambiguity, she argues, “provides an opportunity to begin to explore and excavate the unarticulated and complex relationships inherent but latent in the term” (2008, p. 9). Whilst I am unconvinced by the notion that any word has ‘inherent’ meaning, I am intrigued by the idea that a concept could provide a space within which to do political-discursive work. I explore this matter with regard to my findings on vulnerability, in Chapter Six.

Before concluding this section, I wish to revisit my previous contention that Fineman’s work focuses too heavily on the state, and too little on less apparent sources of power. This is a curious omission, I would suggest, as Fineman does problematize the liberal dichotomization of the public/private spheres and, in so doing, advocates for a more expansive conceptualisation of what constitutes the political. In furtherance

of this point, however, she argues that, “the state is always a residual player in so-called private arrangements, having fashioned both the background rules that shape those agreements and maintaining the background institutions upon which parties ultimately rely” (Fineman, 2008, p. 7). In response, I would contend that whilst Fineman does not exaggerate the role of the state, she errs in delimiting her focus to its influence alone. In so doing, she relies too heavily on a top-down conceptualisation of power. Whilst the state undoubtedly plays a role in shaping the spaces within which private interactions take place, they are just one (powerful) player in a web of entities struggling to signify, regulate and dominate (Bourdieu & Wacquant, 1992). And, in existing within such webs, the state itself becomes vulnerable – its boundaries become permeable, its relationships become formative and those outside play a role in influencing that which happens within. As Butler argues, “there is no sovereign power jettisoning the subject outside the domain of the political as such; on the contrary, there is a more varied and diffuse operation of power and force that detains and encroaches on bodies” (Butler, 2014, p. 109). As such, I would contend that relationships between the subject and the cultural, social and symbolic realm (all influenced, but only partially, by the state) require ameliorative attention. In turn, a progressive agenda, which looks beyond the role of policy and law is necessitated by a vulnerability thesis. This is not to undermine the potential role of policy in effecting change, but to encourage a broader analysis of both how the political moment allowing change is developed and what forms of relationship might require interrogation.

In Summary: Externalist Theories

Here, I have surveyed externalist theories of subjecthood organised around the idea of vulnerability – that is, theories which explore how the social world might shape, facilitate and curtail the lived experience of the subject without necessarily working through processes of internalisation. Fineman’s theory of vulnerability focuses, for the most part, on the state and its ability to mediate its citizens’ wellbeing through institutional configurations/conferrals of assets. It explores how inequality is structured by the social field, and eschews post hoc fixes (discrimination legislation) in favour of radical restructuring. Butler’s theory treads similar ground, but takes a more expansive approach – framing the dependencies made necessary by vulnerability as fundamentally constitutive of the subject. Similarly, Butler takes a more expansive approach to Fineman by looking past the state as sovereign, and problematizing a range of diffuse power relations.

In sum, I have drawn attention to a broader concern of critical social theory and illuminated another way in which the choices of women in prostitution could be understood to be shaped, facilitated or curtailed. In brief, a vulnerability analysis highlights how relationships and dependencies – rather than individual autonomy – might produce effects (such as poverty or homelessness) and thus create the context within which sex selling becomes intelligible and/or necessary. In so doing, I have foregrounded discussions of vulnerability, relationality and curtailed choice, with regard to my findings, in Part Three.

2.3 Conclusion

In this chapter I began by discussing various feminist representations of prostitution. I outlined narratives promoted both by those who favoured prostitution’s legitimisation (PSWR advocates) and its elimination (abolitionists). I discussed matters such as sex positivity, choice, bodily integrity, and the probative value of contexts and conditions, such as violence and gender inequality. I then outlined my own position on prostitution. Thereafter, I sought to draw out a number of politically salient themes informing debates on prostitution, by discussing conceptualisation of the subject. I explored the liberal subject of much PSWR thought, feminist critiques of liberalism, the curtailment of choice, and the various modalities through which curtailment is potentially achieved. In so doing, I explored a range of ‘internalist’ theories, which discuss

how externalities can be causally or constitutively related to the formation of the subject. In this vein, I discussed theories of relational autonomy and Bourdieu's theory of action. Furthermore, I discussed neoliberalism: its constructivist motivations and approaches to subject formation. Thereafter, I explored salient facets of Fineman's theory of vulnerability, framing it as an 'externalist theory'.

In turn, I have surveyed a rich body of theoretical work which will assist me to situate localised articulations within broader discourses. Specifically, and as intimated, the narratives, political philosophies and ideologies discussed in preceding paragraphs, provide a thorough and nuanced academic grounding for later discussions of my findings – findings which explore how documents and policy-actors variously interpret and represent the subjecthood of women who sell sex. In Part Three, I routinely draw on the theories discussed here, in order to situate, explain and evaluate generated findings.

Chapter Three – Defining & Theorising Violence

As discussed in Chapter One, a significant proportion of this thesis is dedicated to an exploration of how policy-actors and documents, hailing from the English prostitution policy subsystem, variously include and exclude prostitution from narratives of violence against women and girls (VAWG). This is the very subject my second research question seeks to explore. And as similarly intimated, this precise topic, has drawn limited academic attention. The topic of violence (against women) broadly construed, however, has generated a significant and varied body of scholarship. Accordingly, within this Chapter, I consider key academic contributions and, in so doing, provide a thorough survey of the narratives which necessarily contextualise discussions regarding prostitution's inclusion in VAWG narratives and policies. Accordingly, this chapter provides a thorough academic grounding for a discussion of my findings, embarked upon in Part Four – findings which speak to policy actor and document representations of the relationship between prostitution and frames of violence.

Violence is a heavily contested term (see Bufacchi, 2005; Coady, 1985; Galtung, 1969; Mider, 2013) and what causes violence is similarly an issue of some contention (see Cavanaugh, 2012; Dobash & Dobash, 1979; Lawson, 2012; Martinez, 2011). Both of these matters have been subject to considerable debate and notable discord. In this Chapter, I seek to trace key variables and fracture lines. I begin by exploring various definitions of violence, as well as the dynamics of framing contests. Specifically, I begin by reviewing feminist observations of, and involvement in, discursive struggles over the meaning of violence. I then move on to discuss interpersonal violence, by which I mean violence which takes place between two or more subjects. Then, I explore two theories of 'social violence', by which I mean violence not necessarily requiring an immediately identifiable perpetrator and, rather, originating from more macro-level structures. In so doing, I identify a number of ways prostitution could be represented as violence – and, therefore, as amenable to inclusion within VAWG policies. Then, in the second half of this chapter, I explore theories which attempt to identify what causes violence - paying particular regard to feminist discourses. Thereafter, I explore multifactorial theories which seek to disrupt feminism's univariate (e.g. gender) analysis, by promoting more sophisticated analytical approaches. Specifically, I survey the Black Feminist theory of intersectionality (Cho, Crenshaw, & McCall, 2013; Crenshaw, 1991) and Heise's (1998) socio-ecological model of violence.

3.1 A Struggle for Meaning

In this section, I wish to explore the politics of meaning making. This is a topic I explore more deeply in the following Chapter (methods), and one which has been present throughout much ground already covered – if, sometimes, implicitly. Here, this discussion is prompted by a tendency - within academic literature - to make explicit mention of framing contests with regard to definitions of violence (see Coady, 1985; Eastaugh et al., 2012; Galtung, 1969; Howe, 2006; Kelly, 1988; Mider, 2013; Smart, 1990). Discursive struggles over the term 'violence' are organised across a number of intersecting fault-lines (Galtung, 1969). To highlight but a few, there are disagreements regarding whether violence is a descriptive or normative term (Mider, 2013), is necessarily interpersonal (Coady, 1985; Galtung, 1969), and whose perspective is epistemically central, e.g. victim, attacker or third party (Bourdieu, 2001; Tadros, 2011; Topper, 2001). Matters are further complicated by the existence of various, relatively dominant, discourses - all of which

promote subtly different discursive paradigms (e.g. criminal justice regimes, public health) and, consequently, different frameworks for understanding violence.

Broadly, and in concord with critical discourse analysts (see next Chapter), some feminist theorists seek to challenge the contention that referents precede signifiers (see Easteal et al., 2012; Kelly, 1988; Smart, 1990). Put plainly, they refute the ontological presupposition that language is constituted by the naming of things which already exist, and suggest – in contrast – that things are brought into existence through the process of naming. Naming is framed as an ideologically laden process – one which frequently reflects the interests and desires of a dominant group (e.g. men). Smart suggests, that “there is no natural pre-linguistic existence/reality which is a constant given, to which we attach labels and then, in turn, to which we can appeal as if it were outside culture....no knowledge...is unmediated by language” (Smart, 1990, p. 204). In turn, feminist theorists seek to constitute a new reality through a process of *resignification* and *naming*. That is, a process of reframing phenomena generally understood by reference to a masculine interpretative schema, in ways which reflect a feminist schema; *or* a process of ushering something into existence through identifying and labelling it. In so doing, such theorists attempt to seize the power of reality construction, and – subsequently – come to wield a kind of power themselves (more or less successfully). This, Showden (2012), cautions, requires that theorists remain constantly vigilant to the effects of their practice – as any exercise of power, and dominance, invariably reflects a range of contingent and contestable interests, which may invisibilise others. In any event, this form of feminist resistance represents a sub-movement to a broader project, dedicated to undermining positivistic approaches to knowledge production – to disrupting the assumption that knowledge is necessarily neutral, and to highlighting the way relations of gender function to create what is ‘known’ (Fraser & Nicholson, 1989; Mies, 1993; Smart, 1990). A central feminist objective, then, is to promote alternative forms of knowledge, to expose what is made invisible and to name the unnamed (Hester, etc, Kelly, & Radford, 1995; Kilpatrick, 2004; Mooney, 2000). Attempts to promote certain definitions and frames of violence are, therefore, understood as highly political struggles, in which feminists are able to challenge prevailing manifestations of male power.

In more specific terms, feminist theorists problematize the substantive content and effects of masculinist discourses of violence – arguing that they work both to linguistically minimize ‘attacks’ women often experience as serious, *and* invisibilise a litany of damaging encounters, rendering them unsayable (see Crenshaw, 1991; Hester et al., 1995; Kelly, 1988; Smart, 1990). For instance, Easteal and colleagues (2012) highlight how words favoured by Western judiciaries to describe certain non-consensual sex acts, e.g. fondling and touching, fail to signify aberrance, and instead linguistically elide assault with affection. Relatedly, Kelly and Radford suggest that “concepts which are now commonplace simply did not exist before the present [second] wave of feminist activism, for example, domestic violence, sexual harassment, child sexual abuse” (1995, p. 18). Kelly contends that such namelessness “made shared and social definition...inaccessible” (Kelly, 1988, p. 141). In turn, theorists tend to suggest that minimization and invisibilisation serve masculine interests – in that they work to move certain forms of aggression, control and bodily/mental invasion beyond social reproach (Kelly & Radford, 1995). Accordingly, much feminist resistance, in this regard, has focused on “‘naming of violence and abuse by men’ in order to ensure that women’s experiences of violation should not be left literally ‘unspeakable’” (Morgan & Björkert, 2006, p. 442).

Relatedly, a number of feminist theorists have been particularly critical of the role legal discourses play in defining what constitutes violence (Dworkin, 1993; Easteal et al., 2012; Smart, 1990). They contend that legal codes are *unusually powerful* phallocentric discourses which reflect the interests of a masculine order. In

turn, it is argued that the law plays a central role in minimizing, invisibilising and influencing perceptions of women's experiences of violence (Easteal et al., 2012; Smart, 1990). Smart contends that when women's experiences of violence are subject to judicial intervention, they are "filtered through a mesh of legal relevances about, for example, consent, intention, corroboration, and so on" (Smart, 1990, p. 205) – a process which frames certain experiences as "immaterial to the case" (1990, p. 198). This, then, works to privilege certain representations of violence, whilst silencing others. The law, in short, "enable(s) some to speak for others" (Howe, 2006, p. 423) in ways which reflect broader trends of domination/dominance. But more than this, many feminists frame legal discourses as complicit in processes of subject formation (see Chapter Two) – as Smart suggests legal discourses "are not simply imposed upon us" but work to "explain, validate and create our experience and subjectivity" (1990, p. 201).

Given these concerns, there is some debate as to how, precisely, the law should be approached. There are those who would contend that feminists should distance themselves from legal codes, or at least forcefully challenge that which they contain (Dworkin, 1993; Howe, 2006; Klein in Kelly, 1988). For instance, Dworkin calls for a total disregard of law:

"Don't respect their laws. No. Don't respect their laws. Women need to be making laws....There is no reason for any woman, any woman in the world, to be basically performing fellatio on the current legal system." (1993 n.p.)

Others, however, seem to approach legal narratives in more ambivalent terms. Smart suggests that "feminism may not be able to articulate alternative accounts because of the real fear that law will snatch back the minimal protection it offers" (1990, p. 208), whilst Kelly speculates that "it is possible that in attempting to get public recognition of the incidence and seriousness of sexual violence feminist campaigns have, to some extent, reinforced [the] limited definitions [offered by the law]" (1988, p. 157). This, as I go on to discuss in the Chapter Four, speaks to the contentions of sociological frame theory – proponents of which suggest that the relative success of a narrative will depend largely on its fidelity with pre-existing 'cultural repertoires'. Here, Kelly and Smart appear to suggest that extant legal repertoires delimit feminist activity by regulating what can and cannot be said, but seem also to suggest that there has been some (albeit narrow) value in working within such delimitations (e.g. protection/recognition). This is a matter I explore through the prism of my findings, in Chapters Nine, Ten and Eleven.

Before I move on to a more substantive discussion regarding the definition of violence, I feel it important to note that framing contests exist beyond the feminist/masculinist divide. Feminism is a broad church and what constitutes violence remains a matter of intense contention between proponents occupying different spaces within it. For example, whether pornography is a causal factor in violence, violence unto itself, or an entirely innocuous non-violent activity remains a matter of heated debate within feminist communities (see Comte, 2013; Hernandez, 2011; Kelly, 1988; MacKinnon, 1989; Showden, 2012). Relatedly, whether social trends like sexualisation should be classified as violence remains contested (Coy & Garner, 2012; Duschinsky, 2012). And, as discussed at various points throughout this thesis (most notably Chapter Ten), whether it is politically preferable, or possible, to classify prostitution as VAWG remains a matter of considerable contention (see Agustin, 2001; Comte, 2013; Dworkin, 1998; MacKinnon, 1989; Waltman, 2011). Indeed, the existence of this contention motivated my pursuit of this thesis. In any event, these disputes draw on broader discourses regarding the political nature of knowledge production, the epistemic value of lived-experience, and other normative debates.

In what follows, I survey various commonly promoted definitions of violence, as well as attendant criticisms. In so doing, I hope to trace the myriad considerations theorists have taken, and do take, when

choosing to classify a phenomenon as violence. In turn, I highlight the sorts of variables which could be taken into consideration when choosing to include/exclude prostitution from discourses of VAWG, a matter I discuss through the prism of my findings in Part Four of this thesis.

3.2 Interpersonal Violence

Here, I understand interpersonal violence as that which involves two or more immediately identifiable subjects - at least one perpetrator-subject and one victim-subject. As will become apparent, however, what constitutes interpersonal violence - beyond this - is contested (Mider, 2013). For whilst some theorists favour a narrow understanding of the phenomenon (Kilpatrick, 2004) – generally involving some level of forceful physicality – others promote a more inclusive approach (Galtung, 1969). In exploring definitions of interpersonal violence, I draw on both academic discourses and legal discourses, focusing predominantly on the criminal law of England and Wales. My decision to focus on legal narratives reflects a number of interrelated observations. As mentioned, the law is a particularly powerful discourse, which – it has been argued – holds significant sway over localised interpretations/representations (Smart, 1990), particularly with regard to the relative severity of any behaviour or act (Kelly, 1988). Perhaps reflecting this, and as discussed in section 9.2.2 of Chapter Nine, many of my respondents explicitly drew on criminal justice narratives in order to define violence. In contrast, no respondent made explicit reference any other ‘official’ or ‘institutionally bound’ narrative, e.g. public health discourses (Kilpatrick, 2004).

Before I begin, I wish to offer two further caveats. First, the law of England and Wales, as written, very rarely deploys the term ‘violence’, explicitly. To illustrate, the legal definition of murder makes no mention of violence (s.1 Homicide Act 1957). This does not, however, suggest that the law has no role in defining what constitutes violence. Murder is generally understood to be constituted by, and constitute, violence: the government makes reference to ‘violent offenders’ (Ministry of Justice, 2016) and violence theorists very often make mention of the law (see Kilpatrick, 2004) – to ignore its contributions would therefore be remiss. As such, in what follows, I tread with caution – bearing this anomaly in mind. Second, the academic body of literature addressing violence is vast, and I could not, therefore, hope to offer a comprehensive survey of its contents. In what follows, then, I seek to trace dominant themes and ideas and, in so doing, highlight some of the most significant discursive fault-lines. In turn, these discussions provide a strong academic foundation for later explorations of my findings. Such findings, discussed in Chapters Nine and Ten, speak to my second research question and, accordingly, to how policy actors and documents conceive of violence. In turn, this allows for an exploration of how such conceptions relate to their representations of prostitution.

3.2.1 Physical Violence

In its narrowest formulations, interpersonal violence is represented as constituted by a *perpetrator-subject maliciously exacting physical force on an unwilling victim-subject* in such a way that *somatic harm* results (Bufacchi, 2005; Galtung, 1969; Mider, 2013). Here, the focus is on corporeality, on the animalistic self as tangible flesh and bone, and on an act which is dynamic (Bufacchi, 2005; Topper, 2001) - insofar as it represents an intense, but momentary, disruption of an otherwise non-violent norm (Mider, 2013). Narrow definitions conceive of violence as aberrant – a ripple in still waters (Galtung, 1969). In turn, whilst the victim must be hurt, the attacker must have a guilty mind (*mens rea*). For the purposes of contextualisation, this definition is at least partially echoed in the criminal law of England and Wales: a number of the criminalised activities included within the *Offences against the Person Act 1861* depend on both the degree of somatic harm suffered

by a victim-subject, and whether or not the perpetrator-subject possessed an appropriate mens rea: whilst both murder and manslaughter require that the victim be dead following the commission of an offence, the former requires that the perpetrator maliciously intended such death, whilst the latter requires that the perpetrator has “mens rea not amounting to intention” (Martin & Law, 2013, p. 340). On the other hand, whilst both grievous bodily harm and actual bodily harm require roughly the same mens rea (that the perpetrator intend, or be reckless to, the infliction of a degree of somatic harm), the severity of offence (and potentially the weight of sentence received) depends largely on how much harm is caused. Whilst grievous bodily harm involves the infliction of “really serious harm”, actual bodily harm only involves “any hurt or injury (which) infere(s) with the health or comfort of the victim” (R v Miller [1954] 2 All ER 529). Thus, it is apparent that the variables of intention and physical harm play an important definitional role in criminal justice discourses.

Narrow definitions of violence are routinely criticised. Theorists suggest they cause conceptual fragmentation – an arbitrary severing of one small manifestation of a phenomenon, from the broader and more complicated pattern of that phenomenon (Kelly, 1988; Kilpatrick, 2004; Tjaden, 2005). Relatedly, it is argued that, experientially speaking, different forms of force, harm and subjectivity shade into one another, calling into question the discreteness of variables used to distinguish the violent from the non-violent (Kelly, 1988; Kilpatrick, 2004; Morgan & Björkert, 2006). From here definitions widen. Some definitions pay less regard to the somatic harm and more to the subjectivity of the victim - here the experience of violation becomes paramount (e.g. rape) (Bufacchi, 2005). Others pay less regard to, or even dismiss, the felt experience of violence and focus on its physicality/effects - arguments of this kind often draw upon discourses of an inviolable bodily autonomy (Mider, 2013; Tadros, 2011). In turn, discourses regarding bodily autonomy share academic ancestry with the abolitionist feminist argument that sexual services should be conceived of as inviolable (see Chapter Two). In turn, this discursive relationship points to one way prostitution is conceived as violence, and subsequently included within narratives of VAWG, as explored in Chapter Ten.

3.2.2. Psychological Violence

Moving on, there are numerous theorists who contest definitional reliance on corporeality, and who promote understandings which extend the discursive boundaries of ‘violence’ to problematize harm done to the psychological self (Bufacchi, 2005; Coady, 1985; Galtung, 1969; Morgan & Björkert, 2006; Saltzman, 2004; Tjaden, 2005). Theorists who promote definitions of this kind suggest ‘violence’ should be broadened beyond physical force, bodily violation and somatic harm, and be made to include instances of emotional force and harm. Substantively, acts which involve the violation of psychological integrity - like coercion, intimidation, humiliation, verbal denigration – tend to be captured by more expansive definitions (Kelly, 2011; Mider, 2013). The criminal law of England and Wales has an ambivalent relationship with this broadening, insofar as *certain* manifestations of psychological violence are criminalised whilst others are not. Illustratively, following two influential House of Lords cases - *Ireland [1998] AC 147* and *Burstow [1998] 1 CR App R 144* - it was declared that the psychiatric ailment of severe depression, arising consequent to stalking¹⁸, could constitute grievous bodily harm (Allen, 2013; Martin & Law, 2013). Thus, a form of interpersonal intrusion not characterised by physical force or somatic harm was deemed, by the final court of appeal, to constitute behaviour worthy of criminalisation under an offence normally understood to cover

¹⁸ Stalking is generally understood to involve unwanted physical proximity, non-consensual communication, the administration of threats, and the creation of a hostile environment/fear (2A Protection of Harassment Act 1977).

physically violent behaviour (Allen, 2013). In addition, the recently enacted *Serious Crime Act 2015* contains an offence which criminalises the continuous and repeated use of controlling or coercive behaviour. Finally, an array of interpersonal communication offences, which do not require any level of physical force (e.g. harassment), are considered criminal (*Malicious Communications Act 1988*). Although, as already discussed, the term ‘violence’ is rarely explicitly used in legislative instruments, these examples arguably evidence a judicial blurring, or dual problematisation, of psychological and physical harm.

There are numerous grounds from which theorists promote this more expansive definition of violence. Peace-theorist Galtung (1969) suggests that, when studied in context, psychological and physical violence manifest as so interrelated and dependent that distinctions appear arbitrary. He suggests, for example, that physical force has the potential to cause emotional harm (trauma), whilst emotional force has the potential to cause physical harm (via the biopsychosocial impacts of stress). Relatedly, when one focuses on a ‘field’ of violence (e.g. forced marriage/IPV), distinguishing between physical and psychological forms of attack/harm becomes increasingly tenuous - a woman forced into marriage/subject to abuse from her partner, may well experience interconnected physical and psychological acts of harm, all of which work together to create a context of control (Chantler, Gangoli, & Hester, 2009). Here, then, women do not experience physical violence as episodic, but rather related to similar acts, and psychological attack (Kelly, 2011; Mooney, 2000). Building on this, some argue that the arbitrary disaggregation of some forms of behaviour from other forms prevents a meaningful academic analysis of violence as a phenomenon – obscuring interconnectivity and broader motivations/implications (Tjaden, 2005). Finally, and as alluded to in the first section of this Chapter, many feminist theorists understand narrow definitions of violence to reflect dominant masculinist discourses - which problematize experiences men find problematic, whilst invisibilising behaviour commonly used by men to harm women (Easteal et al., 2012; Kelly, 2003; Mooney, 2000). For instance, Easteal and colleagues suggest that

“...a masculine model of violence (assault in the public domain) tends to be used as the template or comparator. The focus is on a single episode of physical assault (e.g., singular punch or a pub brawl) without much, if any, contextual background.” (2012, p. 329)

In turn, it is argued that a more expansive definition of violence – one which encapsulates a broader range of physical and psychological acts and harms, would render the unsayable, say-able, and, in turn, afford the experiences of women more recognition and more appropriate redress (Kelly, 1988).

In contrast, some academic commentators contest inclusive definitions of interpersonal violence, arguing that physical and psychological harms are qualitatively distinct and should not be elided (Kilpatrick, 2004; Mider, 2013). Some suggest that to erode the distinction between physical and psychological violence would be to trivialise the former and to defer attention away from its potentially fatal outcomes (Kilpatrick, 2004). Of course, the suggestion that psychological violence is in any way trivial is highly contested and arguably undermines the lived experiences of women subject to such attack. Indeed, there is evidence to suggest some women find psychological violence to be as detrimental, if not more detrimental, than its physical counterpart – a harm aggravated by the invalidation and silencing of linguistic denial (Kelly, 1988; Kelly & Radford, 1995; Mider, 2013; Morgan & Björkert, 2006). Others suggest that in stretching the definition of violence beyond that which is deemed to constitute ‘common parlance’, theorists eventually make the term essentially meaningless - capable of encompassing every perceived slight (Bufacchi, 2005; Coady, 1985). Whilst I harbour some sympathy for this position, I worry that its straightforward application too quickly naturalises common usage and, in so doing, obscures the political processes which underlie the creation of (dominant) discourses. That violence is commonly understood to connote some kind of physical attack is

arguably contingent on liberal (discussed below) and masculine (see above) discourses. According to this position, and as already intimated, the connection between referent (attack) and signifier (violence) results from framing contests, and not any natural meaning. In any event, from this perspective, common parlance has no more an indisputable claim to the meaning of violence, than those who would choose to contest it.

3.2.3. Subjectivities: Intent and Consent

At this juncture, I wish to survey two variables which inform much definitional debate – the subjective apprehensions of victims and perpetrators. Here, then, I move away from definitions of violence organised around type of attack/harm (e.g. physical or psychological), and towards the question of whose subjectivity is given epistemic primacy in processes of meaning making. This, in some ways, speaks to debates regarding the internal processes of the subject, as discussed in the previous chapter. Often, what is at stake in discussions of these topics, is not a static definition of violence per se, but rather the question of who is allowed to speak for whom, and when – the arbitration of which is often thought to involve technologies of power and gender, e.g. the law (Howe, 2006; Kelly & Radford, 1995; Smart, 1990). Furthermore, this is a deeply complex issue, which can be difficult to discuss because of the interdisciplinary nature of this thesis. Importantly, many legal theorists cited in the following passages do not engage explicitly with the question of whether the lack of intent/consent *vitiates an offence of violence*, or whether it prevents an act from being considered *violence at all*. Given this lack of clarity and precision, I am forced to entertain an uncomfortable level of ambivalence – an ambivalence which, I would suggest, is attributable to the deeply contested nature of the topic at hand. In any event, in what follows I consider three discourses which touch upon and discuss matters of subjectivity – legal discourses, feminist social and political theory, and dominant non-legal socio-cultural discourses. Whilst I pay some regard to the matter of intent, in early deference to my findings chapters and to feminist prostitution debates more broadly, I focus principally on questions of consent. As discussed in Chapters Seven and Ten, the epistemic weight of ‘victim’ subjectivities is a site of significant discursive contest for many respondents interviewed throughout the course of this thesis.

Legal Discourses

To begin, and to reiterate a point already partially explored, the criminal law of England and Wales pays significant regard to the subjective position of perpetrators and victims. As previously intimated, most offences require that an attacker possess an appropriately guilty mind (*mens rea*) before, during or after the commission of an offence (Allen, 2013; Mider, 2013). According to this position, for something to constitute a violent offence, an attacker must intend it as such (Martin & Law, 2013; Mider, 2013). In addition, a significant number of offences require evidence of a non-consenting victim. Some potential crimes become seemingly innocuous encounters when the question of consent is resolved. Rape, by its very definition, hinges on the existence of consent (Martin & Law, 2013). Of course, it is worth noting that rape also requires evidence that an assailant does not believe his victim is consenting (s.1(1)(c) SOA 2003). Here, then, both the position of the perpetrator and the position of the victim are given some epistemic weight. In addition, the question of whether or not some violent offences can be committed against a consenting victim, has a long and emotive legal history – both within the jurisdiction of study and beyond. Indeed, the question of whether or not someone can consent to being killed, and the normative/legal implications of any given consent, remains contentious in numerous regions. For example, the German judiciary, after hearing a case in which a man consented to being killed and eaten, concluded that such consent, though willingly given, could never have been deemed valid. In turn, they held that a criminal offence had been committed (Tadros, 2011, p. 23). In the UK, similar – if somewhat less sensational – debates regarding

euthanasia continue to divide the political landscape, and it remains illegal to aid a dying person in the premature termination of their life (Mason, 2014).

Thus, though many violent offences award some level of epistemic primacy to victim subjectivity, there are notable exceptions (Bibbings & Alldridge, 1993; Giles, 1994; Tadros, 2011). Within explorations of this topic, the English case of *R v Brown* [1994] 1 A.C. 212 has received significant attention (Allen, 2013; Bibbings & Alldridge, 1993; Giles, 1994; Tadros, 2011). *Brown* arose following a police operation in which audio-visual evidence of sadomasochistic group sex was obtained (Bibbings & Alldridge, 1993). Though all parties to the group in question were consenting and unsupportive of legal intervention, all were taken to court – some charged with actual and grievous bodily harm, and others (near unprecedentedly) with aiding and abetting in the commission of a violent offence against themselves (Bibbings & Alldridge, 1993). Following a protracted legal battle, the House of Lords held that a person could not legally consent to the commission of actual bodily harm (Bibbings & Alldridge, 1993; Giles, 1994). The resulting judgments have been subject to sustained critique: in part because they were underpinned by a palpable homophobia, and in part because they were organised around opaque/unexplored claims regarding the cultural undesirability of sadomasochistic sex (Bibbings & Alldridge, 1993; Giles, 1994). In essence, the Lords concluded that sadomasochism, of the kind displayed in *Brown*, was not in the public interest and should not – therefore – be permitted, even when consented to (Bibbings & Alldridge, 1993; Giles, 1994). “Society is entitled” one Lord held, “to protect itself against a cult of violence... Cruelty is uncivilised” (*R v Brown* [1994] 1 A.C. 212, at 237).

When epistemic primacy is not awarded to the victim of interpersonal violence, the politically fraught question of third party definition (often manifesting as state interference) draws into sight. In *Brown*, the House of Lords disregarded the subjectivities of the individuals they judged, drawing primarily upon the vague authority of ‘public interest’. Public interest, is of course, a culturally relative and essentially contested concept implicated in debates regarding what is, or is not, normatively desirable (Ashcroft, 2004; Kerr, 2014; Williams, 1995). And within the context of judicial intervention, such debates are very frequently concerned with social norms and their protection (Cossman, 2002; Kerr, 2014). To provide a concrete example, in *Brown* it was held that ‘manly diversions’ such as wrestling, rugby, and consensual horseplay should be deemed acceptable even when fatal – insofar as they possessed positive potential for the public *en masse* (*R v Brown* [1994] 1 A.C. 252). The decision to permit horseplay, whilst prohibiting sadomasochistic sex, was justified by the argument that the former increased athletic strength, skill and activity, whilst the latter did not (Giles, 1994). In turn, this arguably evidences a lack of consideration for how sexual expression and diversity might aid in individual and social flourishing (Cossman, 2002). Surgery and body modification were, similarly, deemed to be instances of violence to which one could consent (Giles, 1994). Whilst the cultural acceptability of surgery may appear straightforward, the question of body modification (e.g. tattooing and piercing) is somewhat more complicated. What makes aesthetic adjustment more, or less, desirable than sexual gratification is unclear. Thus, the judicial delineations offered in *Brown* can be best understood by reference to the essentially illiberal concepts of normativity and communitarian authoritarianism – pierced ears and rugby are framed as culturally positive dress, expression, activity; whilst sadomasochism is framed as a harmful counter cultural phenomenon demanding paternalistic intervention (Giles, 1994).

Critical of *Brown*, and keen to promote a more coherent narrative regarding the role of consent in defining violence, Tadros (2011) promotes an alternative approach to the question of consent. To summarise,

drawing on a Kantian ethic¹⁹, Tadros frames ‘respect for one another’ as an unassailable moral obligation. He then works through various deliberations regarding whether such respect should be paid to the inviolability of the body (at the possible expense of a subject’s autonomy) or to the inviolability of autonomy (at the possible expense of a subject’s body). To contextualise such deliberations within broader debates, whilst liberal discourses would promote an overriding respect for autonomy (Pateman, 1988); feminist theorists who argue sex is distinct (and should not be sold) favour respect for the body, often in service of broader communitarian aims. In promoting an argument in favour of the latter, Tadros suggests we should respect the *sanctity* of the body. This sanctity, he posits, is formed not by some theological or transcendent force but rather through socio-cultural discourse:

“We can invest objects, bodies, and lives with sanctity through our social practices. They come to represent the persons through these practices. Because they represent persons, they really are sacred....” (2011, p. 44)

Here, then, Tadros differs from the judges in *Brown*, insofar as he is explicit in regards to his dependence on essentially contingent normative standards. I am sympathetic to this position - it echoes my own perspective on the socio-cultural character of sex. To identify a thing as socio-culturally constructed is not to suddenly and forever strip that thing of meaning or value, but rather to recognise the contingency and context of meaning (Crenshaw, 1991). To argue, then, that something be sanctified in response to meaning and value and weight, feels intellectually and morally compelling. However, I am similarly swayed by theorists such as Cossman (2002) who argue that communitarian definitions of what should and should not be valued *and how*, very often reflect dominant (here, heteronormative) discourses –imposed on marginal cohorts in attempts to govern and regulate their ‘deviant’ behaviour. This, then, is a complicated matter which implicates contested norms, regarding what constitutes good and bad sex, as well as the public good (Cossman, 2002).

Feminist Discourses

Feminist theorists have similarly paid particular regard to the question of consent and victim subjectivity more broadly. A number stress the political necessity of listening to women when they relate their experiences of violence, and of subsequently awarding survivors epistemic power (Hester et al., 1995; Kelly, 1988; Kelly & Radford, 1995; Mooney, 2000; Smart, 1990). This position is frequently adopted on the grounds that listening to women rebalances gendered power asymmetries and challenges dominant (masculinist) forms of knowledge and knowledge production (as in section 3.1). Kelly and colleagues (see Hester et al., 1995; Kelly, 1988; Kelly & Radford, 1995) argue that in exploring women’s experiences one reveals a politically powerful form of knowledge. Indeed they argue that feminist analyses should be grounded in, and arise from, these explorations. However, in Kelly and Radford’s (1995) treatment of the topic I discern something of an illuminating theoretical tension. In short, Kelly and Radford – whilst foregrounding the voices of women victims - problematize these victims’ insistences that ‘nothing really happened’, following experiences of coercion, humiliation and sexual assault. Here, they frame the tension existing between women’s distress, and their inability/failure to understand their experiences as violence per se, as resulting from masculine discourses which privilege some stories whilst silencing others. A kind of truth, then, lies in a contradiction between what is *known* and what is *felt*. This position - though intellectually and politically compelling - makes the claim that women’s voices should be privileged a little fraught. Indeed, it suggests that if we were to listen to women’s representations without further exploring experiential tensions, we might inadvertently reproduce masculine discourse. This was a theoretical

¹⁹ See Papadaki (2012)

quandary alluded to in Chapter Two, one which plagues social theories which seek to disrupt narratives of the voluntary subject (Foshay, 1998). If “in the most intimate encounters with ourselves, the most intimate moments of disclosure, we call upon a language we never made in order to say who we are” (Reddy & Butler, 2004, p. 116), how can we give the subject authorial and epistemic privilege without reproducing dominant norms? Though, as intimated, Kelly and Radford seem to suggest that, in identifying a lack of correspondence between language (signifiers) and the lives that we lead (referents), dominance is discerned – it is not a point they engage with explicitly or on a more theoretical level.

Dominant (Non-Legal) Discourses

In discussing, socio-cultural discourses regarding consent and its relationship to violence, and consent and the perpetration of harm more broadly, multiple theorists have stressed the dominance of victim narratives which rely on the trope of the non-consensual subject who can *in no way be considered ‘blameworthy’ for the commission of an offence* (see Christie, 1986; Kelly, 1988; Morgan & Björkert, 2006; Stringer, 2014). Christie (1986) suggests that ‘the ideal victim’ is a normative social trope – much like a ‘hero’ – whose legitimacy in making claims to the status of victim is judged against her relative weakness, her relative complicity, her respectability and her relationship with the perpetrator. A weak, respectable individual, who is demonstrably and unambiguously non-consenting and who is attacked by a stranger, possesses a strong claim to the designation ‘victim’. In contrast, a strong, apparently disreputable person who appears in some way complicit with an attack and who knows her attacker, will struggle to make such a claim. Indeed, the non-ideal victim I have just described resembles Christie’s portrayal of an ideal offender. These characters exist in oppositional binary with one another – embodying and performing activity and passivity, fragility and power, normative desirability and undesirability. In many ways, then, these tropes mirror discourses of hyper-masculinity and hyper-femininity – and therefore arguably draw from, and contribute to, the reproduction of gender ideology and the gendering of subjects (Bourdieu, 2001; Christie, 1986; Heise, 1998; Phoenix, 2005; Smart, 1990). To offer more concrete examples, such discourses exist in symbiotic relationship with narratives regarding the proper behaviour of rape claimants (routinely undermined for embodying/performing non-traditional traits/behaviours (Crenshaw, 1991; Miriam, 2005)) and the relative culpability of domestic violence victims who choose to remain within an apparently dangerous space (their home) (Shaffer, 1997). What exists here, then, is an understanding of ‘consent’ which transcends the subjective experience of a victim and which becomes entangled in normative (masculine) discourses regarding appropriate behaviour and moral culpability.

In summary, the subjectivities of perpetrators and victims have a complicated and difficult relationship to understandings of both violent offences and conceptions of violence more broadly. The criminal law of England and Wales frequently bestows the subjectivities of victims and perpetrators with epistemic primacy. With that said, there are violent offences to which victims are simply not permitted to consent – here, then, their subjective interpretations are secondary to third party authority .e.g. the public interest. Furthermore, women’s subjectivity plays an important, if sometimes ambivalent role, in feminist discourse and dominant socio-cultural narratives of victimhood. In any event, in what follows, I move on to discuss social forms of violence, which entirely dismiss the variable of subjectivity as determinative. In turn, I advance my discussion of the various ways violence can be defined and represented, and further develop the academic foundations for a nuanced and complex discussion of my findings, in Part Four.

3.3 Social Violence

A number of theorists disrupt and contest definitions of ‘violence’ which rely, primarily, on interpersonal relations (see Bourdieu, 2001; Galtung, 1969; Kelly, 1988; Morgan & Björkert, 2006). To illustrate, Kelly (1988) highlights how something like the feminization of poverty could be, and has been, framed as violence unto itself and goes on to say that “all forms of male power, individual and institutional, are potentially definable as violence” (1988, p. 39). In recognition of this, I now wish to explore two theories which go beyond narratives of interpersonal violence to suggest a more expansive/social framing: Galtung’s (1969) theory of structural violence and Bourdieu’s (1977, 2001) theory of symbolic violence. Whilst theoretically distinct, I include both beneath the umbrella of ‘social violence’, as both indict structural/cultural landscapes within the definitions they promote.

3.3.1. Structural Violence

Broadly, Galtung argues that “violence is present when human beings are influenced so that their actual somatic and mental realisations are below their potential realisations” (1969, p. 168). He suggests, then, that anything which *artificially* increases the distance between a subject’s potential and their lived experienced, or indeed anything which prevents that distance from being closed, is a form of violence. I say ‘artificial’ as Galtung suggests that an inescapable lengthening in the distance between a subject’s potential and actual realisation (e.g. a freak accident) should not be understood as violence. Accordingly, Galtung’s primary definitional concern falls upon harm done, and not how harm comes to be done or, indeed, how harm is perceived by a victim/perpetrator. Notably, Galtung concedes that what constitutes violence, according to his theory, is an essentially normative judgement, organised around what we understand to be positive potential and lived experience. In any event, Galtung goes on to suggest that, according to his focus, structures (e.g. institutions) and other facets of the social order can be understood to perform acts of violence, often in a systemic fashion. Substantively, he suggests that structurally ingrained inequalities – which create a maldistribution in social, cultural or material assets – prevent aggrieved social cohorts from meeting the full potential of their existence and therefore enact violence. To borrow an example from Kelly (above), feminized poverty could be framed as structural violence, insofar as it causes an asymmetric distribution of material resources and thus increases the distance between a woman’s potential and actual mental/physical well-being. In support of this position, Galtung argues that “there is no reason to assume that structural violence amounts to less suffering than personal violence” (1969, p. 173).

Notably, Galtung does differentiate between interpersonal violence and structural violence with regard to the impression it leaves – arguing that the former is experienced as an eruption of the social fabric, whilst the latter is intertwined within it:

Personal Violence represents change and dynamism - not only ripples on waves, but waves on otherwise tranquil waters. Structural violence is silent, it does not show - it is essentially static, it is the tranquil waters. In a static society, personal violence will be registered, whereas structural violence may be seen as about as natural as the air around us. (1969, p. 173)

This is, arguably, one of the most compelling facets of Galtung’s work insofar as it provides a theoretical space within which to begin exploring how quotidian, seemingly natural, aspects of society may in fact create and sustain harmful inequalities and relationships. In this vein, it shares some similarities with

Fineman's conception of vulnerability. Consequently, the concept of 'structural violence' has garnered significant academic consideration and critique (see Biebricher & Johnson, 2012; Bufacchi, 2005; Coady, 1985; Mukherjee et al., 2011). For example, Biebricher and Johnson deploy the concept to highlight the failings of neoliberal governance and the systematic maldistribution of resources it legitimises. Similarly, Mukherjee and colleagues (2011) explore how narratives of structural violence can be used to explain barriers which prevent women from achieving their full potential and, specifically, the satisfaction of the Millennium Development Goals²⁰. In turn, they argue that by departing from more traditional conceptions of violence, structural violence allows us to highlight the brutish nature of experiences such as poverty. Here, then, the signifier precedes the referent, and the weight of its meaning is deployed to create a new reality. Countering this position, Coady (1985) argues that in conflating qualitatively distinct phenomena (e.g. a punch and poverty), one obscures one's meaning in duplicitous fashion. He suggests that the "deliberate promotion of muddle or un-clarity is liable to be detected and when detected resented, because it is seen for what is, namely, an exercise in manipulation" (1985, p. 6). Whilst, I am sympathetic to Coady's concerns regarding these difficulties, I am frustrated by his contention that attempts at resignification – particularly resignifications which seek to highlight neglected harms – constitute a form of manipulation. This position not only invisibilises the processes by which dominant discourses inevitably manipulate reality and, arguably, subject formation, but suggests that political struggles over meaning making are necessarily devious and corrupt.

3.3.2. Symbolic Violence

The theory of symbolic violence is intimately intertwined with Bourdieu's broader sociological project (see Chapter Two) (see Bourdieu & Wacquant, 1992; Mottier, 2002). In the briefest possible terms, however, the theory is premised on the contention that, through the internalisation of the external – through the "insensible familiarization with a symbolically structured physical world" (Bourdieu, 2001, p. 38) – subjects come to misrecognise symbolic schema (e.g. cultural narratives) as indisputable and natural. This is a phenomenon Bourdieu calls 'doxic acceptance'. At times, Bourdieu understands this acceptance to perform a kind of harm. The "paradox of the doxa", Bourdieu suggests, is "the fact that the order of the world as we find it...is broadly respected...and that the most intolerable conditions of existence can so often be perceived as acceptable and even natural" (2001, pp. vii–viii). In turn, he suggests that by misrecognising the symbolic schema of the dominant as natural, dominated subjects become complicit in their own subjugation, become weaponised against themselves – the object of their own oppression. This is symbolic violence.

Symbolic violence, by its very nature, challenges definitional reliance on victims and perpetrator subjectivity (Topper, 2001). It relies on the displacement of the authorial subject, and on the problematisation of the lived experience. Accordingly, Bourdieu disrupts definitional reliance on 'consent' and argues that "we cannot understand symbolic violence and practice without forsaking entirely the scholastic opposition between coercion and consent, external imposition and internal impulse" (1992, p. 172). Similarly, he rejects narratives which stress the epistemic weight of 'intent': "symbolic violence" he suggests "lacks the intentional and instrumental quality of brute violence" (2006, p. 443). Symbolic violence does, however, work through subjects. Symbolic schema are not free floating or transcendent – but rather socially inscribed following (re)production by subjects. Indeed, in contrast to structural violence, symbolic violence does not

²⁰ The Millennium Development Goals were a series of objectives identified, and committed to, by United Nation Member States. They have since been superseded by the Sustainable Development Goals. Here, the authors suggest that development goals like reducing poverty, were stymied by instances of structural violence such as gender asymmetries in labour markets.

act on the subject, but rather through her. This, then, complicates the concept of responsibility – insofar as a dominant party may broadly benefit from symbolic violence, and may be party to performing it, whilst in no way meaningfully desiring it. Building on this, symbolic violence becomes a way to problematize the liberal conception of subjects as essentially ‘free’ when unrestrained by some external force (Topper, 2001). In addition, and much like structural violence, symbolic violence does not manifest as an aberration or disruption but, rather, appears as tranquillity, as normality. Through processes of eternalisation, de-historicization and internalisation, the cultural narratives which perform acts of symbolic violence are perceived as natural (Bourdieu, 2001). In turn, and as Morgan and Bjorkert, suggest: “symbolic violence is embedded in ‘normal’ routines of everyday lives” (2006, p. 442). This is what makes it so powerful – its insidiousness, and its constitutive role in the quotidian, as well as the subject (Morgan & Bjorkert, 2006).

Finally, Bourdieu suggests that “self-exclusion and vocation” (products of symbolic violence) “take over” when “external constraints are removed and formal liberties....are acquired” (2001, p. 39). Here, then, he speaks to how naked and raw manifestations of interpersonal violence work in conjunction with the more clothed and subtle controls of (liberal) society – one replacing the other, each performing the same overall function. Similarly, Morgan and Bjorkert (2006) suggest that physical violence and symbolic violence shade into one another – exploring how crime reduction initiatives have naturalised the notion that women should be made responsible for guarding against physical attack, and thus required to police themselves. Thus, whilst symbolic violence is no way reducible to interpersonal violence, it can be – and is – related.

Gender

Before moving on to the next section of this chapter, I wish to discuss Bourdieu’s treatment of ‘gender’ which, he suggests, is the “prime example” of “the paradoxical submission” (Bourdieu, 2001, p. 1) around which theories of symbolic violence are organised. Bourdieu argues, in sum, that the symbolic structures of gender difference (e.g. man/woman) are maintained by ascribing contingent social meaning to variances in physiological presentation: “the anatomical difference between the sex organs” he suggests “appear as the natural justification of the socially constructed difference between the genders” but that “the social world constructs the body as a sexually defined reality and as the depository of sexually defining principles of vision and division” (Bourdieu, 2001, p. 11). Here, then, he echoes the theorists explored in the introductory section of this chapter, by arguing that the signifier precedes the referent. He suggests, for instance, that:

“It is not the phallus (or its absence) which is the basis of that worldview, rather it is that worldview which, being organised according to the division into relational genders, male and female, can institute the phallus.” (2001, p. 22)

In turn, Bourdieu suggests that women, through processes of subject formation, come to “apply to what dominates them schemes that are the product of domination” (2001, p. 13) and thus engage in a doxic acceptance of gender ideologies which work to subjugate them. Accordingly, he frames many cross-gender interactions as examples of symbolic violence. In turn, Bourdieu’s theory could be used to promote an expansive conception of VAWG which, in many ways, collapsed what feminists would view as symbolic properties causally related to violence (as discussed in the latter half of this chapter) into an understanding of violence itself. Furthermore, within his major work on masculine domination, Bourdieu frames heterosexuality as a primary site of symbolic violence. He rejects the notion that sexual desire is a transcendent property, which evades social construction. He suggests that transcendental entities are – in actuality – historical phenomena which impose themselves on individuals in a way which causes them to be conceived as ahistorical. He goes on to argue that the social relation of domination “is constructed

through the fundamental principle of division between the active male and the passive female” which, in turn, creates, organises, expresses and directs desire” (2001, p. 21). In turn, Bourdieu frames dominant narratives of male sexuality as animalistic and possessive, as a property and consequence of gender domination.

Many feminist scholars have found significant theoretical utility in Bourdieu’s theory of symbolic violence (see Coy, Wakeling, & Garner, 2011; McNay, 1992; Morgan & Björkert, 2006; Mottier, 2002). In work which seeks to bring Bourdieusian sociology to the service of VAWG activism, Morgan and Bjorkert evidence how a persistent feminist concern can be usefully conceptualised as a form of symbolic violence. In sum, numerous feminist academics have expressed profound unease regarding the regularity with which women are represented as responsible for the reduction of gendered violence – insofar as they are required to actively guard against unwanted intrusion, and remain constantly vigilant to the possibility of injury (see Hester et al., 1995; Kelly, 1988a; Miriam, 2005). These, Kelly suggests, are “the ideological processes through which women are blamed for men’s violence” (Kelly, 1988, p. 23). A key examples of this is the contention that women should refrain from dressing ‘provocatively’ or consuming alcohol, lest a man feel inclined to rape them (Miriam, 2005). This, Morgan and Bjorkert, go on to suggest, functions as social policing – manifesting in “apparently voluntary limitations of mobility, territory and encounters” (Kelly, 1988, p. 31). In turn, Morgan and Bjorkert show that the commonality of such cultural narratives, their reiteration by authoritative bodies (e.g. the police), and their frequent misrecognition as a discourse arising from a transcendent logic, functions as a form of symbolic violence. In addition, and in work relevant to the central thrust of this thesis, Coy and colleagues suggest that cultural depictions of prostitution, demonstrable in films like *Pretty Woman* (1990) and *Moulin Rouge* (2001), can usefully be understood as performing acts of symbolic violence – insofar as they represent sex selling as fun, sexy and harmless, and subsequently invisibilise the sexist and oppressive dimensions of the trade. And I would suggest that narratives of prostitution which draw on the ‘naturally’ insatiable character of male desire – which construct sex as a man’s right and prostitution as desired insofar as it satisfies that right (see Ericsson, 1980) and which are accepted by women who sell sex as somehow a-historic – *could be* framed as symbolic violence. There are potentially problematic ethical ramifications to this position, however. These are matters I discuss, in relation to generated data, in Chapter Ten.

3.3.3 Explaining the Primacy of Interpersonal Violence

A number of theorists have observed that dominant discourses of violence emphasise interpersonal violence (particularly physical forms), at the expense of more expansive definitions, such as structural or symbolic violence (Christie, 1986; Coady, 1985; Galtung, 1969; Mider, 2013; Morgan & Björkert, 2006). Galtung (1969) and Morgan and Bjorkert (2006) suggest that the high visibility and perceptibility of interpersonal (particularly physical) violence contributes to dominant discursive trends. Interpersonal violence can be seen to happen, its effects are perceptible and it often presents as an aberration. Interpersonal violence is naked and raw. Conversely, both structural and symbolic violence are, by their very definition, clothed. Each rely on the seemingly natural structures, narratives, cultures and symbols of the social order. They are therefore difficult to identify (Galtung, 1969; Mider, 2013; Morgan & Björkert, 2006). Structural violence is, Galtung argues, “tranquil waters” (Galtung, 1969, p. 173); symbolic violence, Morgan and Bjorkert (2006) claim, is “insidious and invisible”. Alternatively, the prominence of interpersonal definitions of violence have been explained by reference to the political landscape of Western jurisdictions. Narrow definitions of violence, which represent the phenomenon as an entirely embodied, individual, and episodic aberration severable from other social phenomena, tally with (neo)liberal

constructions of personhood and the social order (Biebricher & Johnson, 2012; Coady, 1985). Conversely, broader definitions of violence show a natural affinity with more counter-hegemonic social theories (Coady, 1985; Stringer, 2014), insofar as they allow for a problematisation of socially ingrained injustice.

3.4 In Summary: Definitions of Violence

Violence is a heavily contested term. Struggles over the term's meaning form part of a broader ideological contest waged by differently positioned knowledge producers – who variously maintain and subvert dominant representations of the phenomenon. As discussed, feminist theorists both frequently seek to counter a masculinist ideology which invisibilises and minimises the experiences of women, and disagree amongst themselves regarding the proper classification of different contentious acts. Whether violence should be considered narrowly or expansively, interpersonally or socially, with regard to the views of victims, perpetrators or third parties, remains unresolved. How VAWG policy documents, and policy actors with the English prostitution policy subsystem, represent violence – and how this relates to understandings of the illicit sex trade, is a topic I go on to discuss – through the prism of my findings – in Chapters Nine and Ten.

In what follows, and in keeping with the central themes of this research, I explore theories which provide explanatory narratives for violence against women and girls (VAWG). In doing so, I facilitate a better understanding of the ways in which representations of prostitution could be included in, or excluded from, them, as per my second research question. For the relative removal of uncertainty, from here on I use the term 'violence' to refer to a broad definition of interpersonal violence (encompassing physical/psychological harm), but not social violence. I favour this approach, as the feminist sociological model – discussed at length below – frames social forces as causally implicated in 'violence', rather than as violence per se. Though such classifications are contested (as discussed), settling on such delineations for the purposes of the forthcoming discussion should work to clarify matters.

3.5 Theories of Violence

A significant number of social science theories offer distinct explanations of the causes and consequences of violence (Heise, 1998; Lawson, 2012; Mooney, 2000; Stanko, 2002).²¹ Dominant strands within psychology emphasise the causal value of psycho-pathological traits, e.g. brain dysfunction and hormonal imbalance (Cavanaugh, 2012; Reingardien, 2004), as well as individual experience/habit, e.g. alcohol consumption (Heise, 1998). These sorts of theories possess a natural affinity with (neo)-liberal conceptualisations of the subject, insofar as they emphasise the explanatory power of the individual, framing broader socio-political factors as exogenous (Coady, 1985). Similarly, neo-classical economic theories draw from liberal narratives, insofar as they frame the subject as fundamentally rational, and as electing to behave consequent to a cost-benefit analysis (Cavanaugh, 2012; Driscoll & Krook, 2012). In turn, individualising theories of violence are frequently used to legitimise remedial approaches like criminalisation – approaches which create disincentives (e.g. costs) and punish the individual (Lissovoy, 2013).

Conversely, many anthropological theorists favour explanations of violence which emphasise its culturally relative social and symbolic meaning (Cavanaugh, 2012), whilst many sociological theorists problematize macro-level factors and their relationship to microsystemic instances, e.g. individuals or incidents (Lawson, 2012; Stanko, 2002). The latter theories support a more expansive approach to redressing violence,

²¹ Cavanaugh (2012) provides a thorough review of a range of theories.

organised around demands for social change (Erturk & Purkayastha, 2012). The feminist sociological model of violence against women and girls (FSM-VAWG) is a notable example, insofar as it frames structurally, culturally and symbolically ingrained gender inequality as causally implicated in violence perpetrated against women. In what follows, I provide an in-depth survey of its principle tenets. Before I do, however, I wish to provide one caveat: as already intimated, feminism is neither homogenous nor singular, but rather a broad church possessed of multiple strands. That being said, here I use the term ‘feminism’ without further qualification – for whilst the theories explored below are often associated with radical feminist theorists (Mooney, 2000), they are now supported by a wide-range of academics, activists and political actors (see Chapter Nine).

3.5.1 Feminist Theory of Violence against Women

The FSM-VAWG is premised on the proposition that ‘gender’ is instrumental in causing/organising certain forms of violence – forms experienced by women and girls, and perpetrated by men and boys (Dobash & Dobash, 1979; Hearn & McKie, 2008). Hester and colleagues suggest that VAWG is “not a question of ‘people raping/battering/abusing people’”, and that “the way violence is used and acted out... is specifically gendered and constructed by, as well as a reflection of, the power relations which constitute hetero-patriarchy” (1995, p. 4). Importantly, gender, in keeping with feminist theories more broadly, is represented as socially constructed. Feminist theorists are, therefore, less interested in gendered psychopathologies and more in how interpersonal relationships are mediated by structural factors, sex role socialisation, gender ideology and other systems of social organisation (Hearn, Strid, Husu, & Verloo, 2016; Kelly, 2011; Mooney, 2000; Reingardien, 2004; Rodríguez-Menés & Safranoff, 2012). For instance, many theorists problematize the symbolic ramifications of heterosexual pornography (much of which demeans women), framing it as complicit in structuring the context/conditions within which violence thrives (Coy & Garner, 2012; Hernandez, 2011; MacKinnon, 1989). If psychopathology is implicated, it is generally by reference to a framework of causal or constitutive subject formation (see Chapter Two). As Bourdieu explains in his exploration of male violence, “if women [are] subjected to a labour of socialisation which tends to diminish and deny them.... men are also prisoners, and insidiously victims, of the dominant representation” (2001, p. 49). Relatedly, Heise (1998) explores how cultural celebrations of hyper-masculinity (e.g. callous sexual attitudes, aggressiveness), and related processes of socialisation, facilitate high levels of gendered violence. In turn, by problematizing macro-level social trends, feminists pointedly frame VAWG as a social, rather than an individual and private, problem (Dobash & Dobash, 1979). This is a point I have alluded to already – in regard to both debates on prostitution and violence – but it bears repeating. In highlighting the prevalence and systemic nature of violence, and in causally implicating social factors, feminist theorists reject the idea that private violence is a private matter (Dobash & Dobash, 1979).

In keeping with this focus on the social, feminist theorists hold that VAWG is a cause and consequence of inequality – rooted in, and reproductive of, macro-level trends (Charles & Mackay, 2013; Coy & Garner, 2012; Hearn & McKie, 2008; Mackay, 2010; Qureshi, 2013). Illustratively, rape, and the threat of rape, are framed as legitimised or made intelligible, by discourses of male entitlement to the female body (Farley et al., 2009; Miriam, 2005; Pateman, 1988). In turn, rape and the fear of rape, police women’s lives (Kelly, 1988b; Yodanis, 2004). Indeed, some theorists view violence as inequality per se: Hearn and colleagues contend that “violence is itself a form of social inequality, an unequal(izing) social structural division and relation of its own, a social distribution of who does what to whom” (Hearn et al., 2016, p. 552). Relatedly, feminist theorists tend to frame men’s violence as both expressive of, and instrumental to, macro-level gender inequality. Violence is expressive, in so far as it plays a performative role in

demonstrating/establishing gendered power (Bourdieu, 2001; Ertürk, 2009; Kelly, 1988; Lawson, 2012; Reingardien, 2004). It is instrumental in that it creates, sustains and defends gendered power asymmetries (Atkinson et al., 2005; Cavanaugh, 2012). As Hearn and colleagues suggest “violence can be the reproduction of raw, unchallenged power, and/or a reassertion of power in the face of resistance and possible loss of relative power” (2016, p. 553). With regard to VAWG’s instrumentality, multiple theorists have studied the way gendered violence is deployed when women attempt to, or successfully, subvert and resist other patriarchal forms/controls (Atkinson et al., 2005; Kelly, 1988; Yodanis, 2004). The starkest example of this is arguably so called honour violence²², but more subtle examples abound. Atkinson and colleagues (2005) evidence how women who earn more than their partners can become particularly vulnerable to violence, if their intimate partners subscribe to an ideology which prescribes rigid gender roles. Relatedly, Kelly (1988) suggests that violence is used in concert with a variety of other soft forms of influence and control, and is often deployed in response to the failure of more insidious forms of surveillance and policing. Here, she echoes Bourdieu in her discussion of how raw and naked forms of control (interpersonal violence) shade into, and relate with, more clothed and insidious forms.

Moving on, much recent feminist theorising is influenced by the ‘Kellian Continuum’ (Hester et al., 1995; Kelly, 1988; Morgan & Björkert, 2006). Originally enunciated by Kelly (1988), this concept works to disrupt dominant representations of gendered violence as episodic and aberrant, by representing seemingly discrete acts of violence (and non-violence) as aetiologically, materially and instrumentally interconnected. In her own work, Kelly problematizes the way “quasi-socially sanctioned” (1988, p. 75) types of male behaviour (e.g. on-street sexual harassment) and ‘serious’ (socially recognised) forms of violence (e.g. rape) are differentiated from one another, ranked hierarchically as serious or trivial. Contesting this representation, Kelly suggest that all forms of gendered violence (and behaviour commonly conceived as non-violent) are aetiologically and conceptually interrelated, mutually reinforcing, and frequently experienced as such. This, she suggests, makes stark differentiation of different acts, which rely on notions like severity and aberrance, problematic. The seemingly trivial is related to the severe, and the seemingly normal to the aberrant. Subsequently, Kelly suggests that her continuum theory opens a discursive space within which women can explore and express the distress they feel when subjected to violence which is routinely minimized as minor, trivial or “a harmless bit of fun” (Kelly, 1988, p. 76). Relatedly, on a more macro-level, as theorists view different forms of violence as aetiologically and instrumentally similar, many suggest that different forms (e.g. rape, female genital mutilation, trafficking) should be understood as qualitatively and systemically bound, and as subsequently co-symptomatic (Kelly, 2011; Lawson, 2012; Mooney, 2000). Taken together, these discourses lead activists to demand comprehensive policy instruments, which avoid the artificial disaggregation of one form of violence from another (Dustin et al., 2013) (discussed in Chapter One).

The FSM-VAWG has faced sustained critique for promoting a univariate (e.g. gender) explanatory narrative which is essentialising, totalizing and, in turn, incapable of capturing how other variables may mediate or compound the effects of gender inequality (see Agustin, 2001; Chavis & Hill, 2008; Crenshaw, 1991; Heise, 1998; Hester et al., 1995; Kapur, 2002; Reingardien, 2004). Heise suggests that “the feminist emphasis on male dominance and gender hierarchy... fails to explain why some men beat and rape women, when others do not, even though all men are exposed to cultural messages” (1998, p. 263); whilst Crenshaw (1991) suggests that essentialism has worked to obscure the way other forms of disadvantage intersect with, and subsequently compound/shape experiences of violence. Women and the men who attack them are – these

²² Violence explicitly perpetrated because it is believed the “victim has transgressed cultural, religious, social or traditional norms or customs of appropriate behaviour”(Bonita, 2012, p. 19)

theorists would suggest - heterogeneous groups, the members of which occupy a range of subject positions (Chavis & Hill, 2008). In recognition of the legitimacy of such critiques, and the utility of more sophisticated analytical tools, I wish to move on to discuss more differentiated theories of violence.

3.5.4 Multi-factorial Theories

In response to the criticisms explored above, and the needs of broader political projects, a number of theorists have promoted more nuanced and multi-factorial/multi-causal explanations of violence. Whilst there are a number available (see Chavis & Hill, 2008; Reingardien, 2004), in what follows I focus on intersectionality and a socio-ecological model of violence. I have selected these two as they provide examples of different approaches to the problem as presented: whilst the former explores how multiple macro-level systems may intertwine to create complex and variegated microsystemic manifestations of violence, the latter explores how systems functioning at different levels (e.g. exo- and meso-) interplay with one another.

Intersectionality

Intersectionality is a Black Feminist theory which explores a) how intersecting disadvantages compound one another and b) how subjects embodying compound disadvantage, are marginalised within single axis social movements (e.g. feminism, antiracism) (Carbado et al., 2013; Cho et al., 2013; Crenshaw, 1991). In brief, intersectionality addresses the lives of subjects who suffer multiple disadvantages but are never specifically attended to, and sometimes excluded, by social movements committed to overcoming systemic disadvantage. Notably, key intersectionality theorist Crenshaw holds that “in the context of violence against women, this elision of difference in identity politics is problematic, fundamentally because the violence that many women experience is often shaped by other dimensions of their identities, such as race and class” (1991, p. 1242). To borrow a concrete example from Crenshaw’s (1991) foundational text, the theory of intersectionality sheds new theoretical light on black women’s experiences of rape. In brief, Crenshaw evidences that whilst the rape of a black woman is frequently met with a lesser punishment than the rape of a white woman - and that whilst blackness is often implicitly framed as a proxy for the ‘non-traditional’ behaviour used to undermine rape claimants *en masse* – black female rape complainants seldom receive attention from feminist and antiracist activists. She highlights how antiracist activists have failed black women by focusing on the way rape law discriminates against black men, and how feminists have failed black women by focusing on “narrow concepts of gender subordination” which do not “address [black women’s] devaluation” (1991, p. 1271). Here, then, Crenshaw critiques both the modalities of social subordination (lesser punishment for offenders who rape black women) and the social movements which seek to address related phenomena.

Whilst intersectionality emerged from Black Feminist and Critical Legal Theory during the late 1980s, it has since been deployed in a variety of disciplines/fields (Carbado et al., 2013; Cho et al., 2013). Furthermore, though it was not initially articulated in relation to VAWG, a multitude of theorists have deployed it to explore the materiality of violence, and related policy responses (Hearn et al., 2016; Hester et al., 1995; Kelly, 2011; Strid et al., 2014). Indeed, intersectionality has been called “a spectacular success” (Davis, 2008, p. 67), a status attributed to the theories flexibility and relative vagueness – for intersectionality is framed as a heuristic device, a ‘nodal point’, a “gathering place for open-ended investigations of the overlapping and conflicting dynamics of....inequalities” (Cho et al., 2013, p. 788). It is neither grand narrative nor metatheory, but rather an analytical framework which encourages theorists to become sensitized to the way intersecting variables create and ameliorate disadvantage, and to integrate related observations into their

research/practice. As such, no comprehensive list of possible inequalities/intersections exists - rather observers are urged to explore the peculiarities of given contexts (Hankivsky & Cormier, 2011). Carbado and colleagues suggest that “all intersectional moves are necessarily particularised and therefore provisional and incomplete.... No application of intersectionality can, in a definitive sense, grasp the range of intersectional powers and problems that plague society” (2013, pp. 304–305). Building on this, proponents of the theory promote the adoption of an intersectional ‘disposition’ (Carbado et al., 2013; Cho et al., 2013) – rather than a dogged adherence to founding texts or theoretical rules. Cho and colleagues suggest that:

“...what makes an intersectional analysis is not the use of the term ‘intersectionality’, nor is it being situated in a familiar genealogy, nor is it drawing on lists of standard citations. Rather, what makes an analysis intersectional...is its adoption of an intersectional way of thinking....conceiving of categories not as distinct but as always permeated by other categories, fluid and changing...” (2013, p. 795)

Given this opportunity, then, one might identify both Bourdieu (1977, 2001) and Fineman (2008; 2013) as intersectional analysts of a kind. Bourdieu’s suggestion that subjects are multidimensional products of a variety of semi-autonomous but overlapping conceptual fields, and his argument that each individual’s social trajectory differs in such a way that their ultimate subject formation and lived experience will similarly differ, chimes with the general principles of intersectionality (1977; Silva, 2016). Similarly, Fineman’s commitment to exploring how a subject’s relationality and positionality variously ameliorates and exacerbates vulnerability, lends itself to a multivariate analysis like intersectionality.

Intersectionality’s proponents do resist some theoretical deployments, however. Hankivsky and Cormier (2011), Chavis and Hill (2008) and Crenshaw (1991) all object to a tokenistic or additive approach to intersectionality, which frames identity categories (e.g. race) as exacerbating an existing phenomenon (e.g. VAWG), or deploys related representations to merely signal commitment to diversity. As Crenshaw notes, “tokenistic, objectifying, voyeuristic inclusion is at least as disempowering as complete exclusion” (1991, p. 1277). Furthermore, whilst intersectionality is often promoted as a panacea to the essentialising predilections of single-explanatory narratives, proponents of the theory are resolute in the *kind* of remedy they offer. In short, postmodern narratives (which frame identity politics as an unsustainable project grounded in essentialising notions of selfhood, and which promote a highly individualised approach to understanding the subject), are framed as theoretically undesirable and contrary to intersectionality’s broader aims (Cho et al., 2013; Crenshaw, 1991; Hester et al., 1995). Whilst Crenshaw acknowledges that identity groupings are socio-cultural constructions, she rejects the notion that this makes them somehow meaningless or unworthy of examination. She frames intersectionality as “a project that presumes that categories have meaning and consequences” (Crenshaw, 1991, p. 1299). Building on this, Cho and colleagues (2013) argue that in denying the collective experiences/identities of marginalised social cohorts, postmodern thought erases the lived realities and history of disadvantaged groups. As I have already suggested, affect and lived experience are empirical realities, regardless of their aetiology, and deeming them insignificant on the grounds that they are ontologically problematic is therefore questionable. Further, and in response to critiques, Cho and colleagues underline the degree to which subjecthood is understood as the product of social and structural dynamics, and frame shared identity as consequential to the modalities of power and not of some essential characteristic. As McKinnon states, marginalised people “are there, but they are not the reason they are there” (quoted in Cho et al., 2013, p. 798). Subsequently, theorists object to deployments of intersectionality which undermine the theoretical utility of identity politics.

In sum, intersectionality is a theory which disrupts and complicates single variable narratives of phenomena like violence. It does so by inviting theorists to consider the multidimensionality of subjects, and the way manifold characteristics and experiences intersect to variously compound and ameliorate one another. In discussing this theory, I have highlighted one way in which the causality of violence can be conceived, and one grounds on which more univariate explanatory narratives can be critiqued. In what follows, I discuss another theory which disrupts single variable theories of violence, but is distinct from intersectionality insofar as it explores factors existing at different levels (e.g. exo- and meso-), rather than the interplay of various macro-level systems of oppression.

Socio-Ecological Model

Heise (1998) offers her SEM as a response to what she views as the overly simplistic and disciplinarily-bounded feminist sociological model of violence. Her model, she posits, works to a) showcase the deep complexity of the social world and b) synthesise a range of theoretical frameworks. Heise's model (Figure Five) is visually represented by four nested, concentric circles each of which represent a different level of analysis. Whilst the innermost circle represents the individual (microsystem), the second innermost represents interpersonal relationships (mesosystem), the next represents community (exosystem) (e.g. church, workplace) and the final outermost circle represents social and cultural factors (macrosystem).

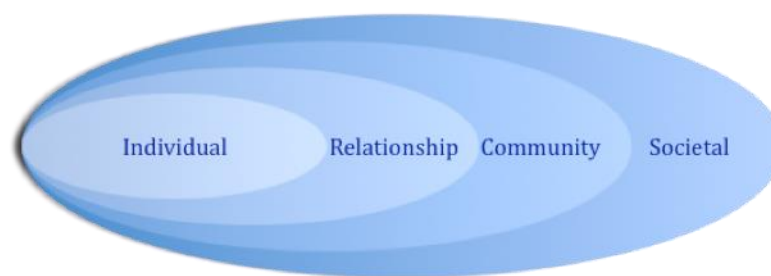


Figure 5 Heise's socio-ecological model of causality

Importantly, Heise holds that each level is involved in a “dynamic interplay” (1998) with every other layer. Whilst she tends to illustrate this interplay with examples of ‘top-down’ influence, it is perhaps useful to ‘read-in’ a more multilateral approach— one in which, say, social norms shape relationship dynamics, which subsequently feedback/subvert the dominance of social norms. To embrace a more unilateral narrative would be to both abandon the possibility for change and to represent the subject (and her microsystem) as suffering from a kind of deterministic automatism (Barnett et al., 2008) (see Chapter Two). In any event, Heise identifies feminist scholars as contributing to the theorisation of the macrosystemic layer of her model and then goes on to highlight how such theories could be brought into dialogue with theories of violence which seek to illuminate the inner layers. She offers the following concrete example:

“A young college man with a basically healthy childhood might force his date to have sex against her will after a raucous fraternity party. This man would be responding to mostly macro- and exosystem factors: his sense of entitlement to sex, pressure from peers to prove his masculinity, alcohol induced bravado, and cultural scripts about sexual encounters between men and women” (1998, p. 285)

Here, then, the sense of entitlement and cultural scripts would be understood as emanating largely from the macrosystemic level (accounted for by feminism); whilst peer pressure would be understood as manifesting at the mesosystemic level (accounted for by, say, a theory on group culture); all of which would

come to bear on the psycho-pathologically healthy but intoxicated individual (explained by (bio)-psychological theories). Such an example aptly illustrates the multiple combinations one could draw out from this framework, and the consequent theoretical utility of Heise's model.

What Heise's model does not do, however, is provide guidance regarding how factors functioning at the same level of analysis should be dealt with. Whilst it provides an interesting way to visualise the interplay between numerous systems *organised hierarchically* - and whilst it allows for the synthesis of theories which represent an attempt to explain the dynamics of different levels – it seems an ill-fit for explorations of how say, socially ingrained racism, sexism and capitalism coalesce. Heise does not, for instance, provide guidance of how to deal with theories which pertain to the same nested systemic-level. However, Heise – much like intersectional theorists - stresses that her model is more heuristic device than grand theory. A dual or triple system approach would not, therefore, be deemed inconsistent. Indeed, bringing intersectionality and the socio-ecological model together could provide a highly nuanced, if somewhat complex, tool for understanding and explaining certain manifestation of violence. This task falls beyond the purview of this thesis, however.

3.6 Conclusion

This Chapter has explored both definitions and theories of violence. I began by discussing the politics of meaning making, and signification struggles, in broad terms, before moving on to explore variables of interest in debates regarding the definition of violence. I discussed different ways in which theorists understood interpersonal violence, paying particular regard to the kind of force and harm envisaged to constitute the phenomenon, as well the epistemic weight gifted to perpetrator, victim or third party subjectivities. I then moved on to explore theories of structural and symbolic violence. In the latter half of this chapter, I discussed the explanatory narrative of violence promoted by proponents of the VAWG movement – a feminist sociological model, implicating macro-level gender inequality in the contextualisation and causation of micro- and mesosystemic incidents, e.g. attacks. I concluded by discussing two multifactorial approaches, both of which promote a more nuanced and complex treatment of violence and – in so doing – provide a space within which theoretical pluralism can be explored.

As discussed, my second research question concerns the way policy-actors and documents discursively include and exclude prostitution from narratives of violence against women and girls. In order to fully understand the dynamics, and implications, of such discursive processes, it is first necessary to develop an understanding of violence (against) women narratives, more broadly. Only then is it possible to grasp the ideological nature and broader political significance of these discourses, and the potential implications of including/excluding prostitution from related policy. This chapter has laid the groundwork for discussions of that nature, which I go on to explore through the prism of my findings. Specifically, in Chapter Nine, I discuss how policy-actors and documents represent violence, and VAWG, in generic terms. This more general discussion allows me to situate localised representations within the kind of extant narratives and ideological discourses explored here. Thereafter, in Chapter Ten, I discuss how respondents interpreted and represented the relationship between prostitution and VAWG – highlighting consistency and tension, convergence and divergence, between such representations and their more generic understandings of the phenomenon; as well as their representations and the academic texts explored in the preceding paragraphs. In sum, I evidence the contention and emotive nature of related debates. I explore how and why PSWR respondents strongly counter prostitution's inclusion in VAWG narratives; and the way abolitionists differ from one another in how they justify inclusion.

Before moving on to explore my findings, however, I discuss my methodological approach to their generation. In the following two chapters, I discuss my research philosophy, interpretivist frameworks, adopted methods, ethical positioning, and analytical techniques. In so doing, I provide thick detail regarding the practicalities of my research, as well as a thorough account of the theoretical foundations which underpinned my analytical approach.

PART TWO - METHODOLOGY

Chapter Four – Methodology: Theory

In this Chapter, I explore the methodological theories which underpin this research. I begin by discussing the critical realist ontology and epistemology which inform my broad approach to knowledge production. Notably, the tenets of critical realism underlie *both* how I understand my own knowledge production, *and* how I understand the knowledge production of my respondents. I then discuss the influence my feminism has on my work, before embarking on an exploration of reflexivity. I discuss reflexivity in abstracted and substantive terms – pointing to the theoretically congruous nature of reflexive approaches (with regard to my work more broadly), as well as providing some more personal reflections. I conclude this chapter by discussing the two interpretative frameworks which informed my research design and analysis of data: critical discourse analysis (CDA) and sociological frame theory (SFT). Here I bring these related, yet distinct, analytical models into dialogue with one another, and suggest that their union provides a number of theoretical opportunities.

4.1 Research Philosophy

Throughout my work, I strive to interpret my findings via a lens of explicitly articulated theory. In so doing, I hope to “enter into a process in which the theory illuminates the case and the case illuminates the theory” (Worsham & Olson, 1999, p. 12). I am hopeful that this approach provides an evaluative dimension to what might otherwise be a largely descriptive project (e.g. recounting narratives of prostitution). I do not suppose, however, that any singular theoretical framework could adequately illuminate all dimensions of the social phenomenon under study. I therefore take a pluralistic approach to analysis - bringing selected theories into mutually beneficial dialogue with one another. This approach, as Worsham and Olson (1999) intimate, allows analysts to excavate a multitude of theoretical levels, and facilitates a particularly potent intellectual intervention. My discussions of intersectional and socio-ecological analytical models, in Chapter Three, provide good examples of the utility of this type of approach.

In bringing diverse theoretical narratives into conversation with one another, I have remained highly cognizant of the need for some level of consistency. In lieu of the certainty and grandeur of positivism, internal theoretical consistency allows for the assessment of a research project on its own terms (Stanley, 1990). I have, therefore, been careful to synthesise theories which complement one another, which: are rooted in the same basic principles, show ample overlap, flourish as they converge, and which enrich, rather than impoverish, one another. Identifying such theories requires a thorough appreciation of theoretical fundamentals (ontology) – to which I turn now.

4.1.1 Critical Realism

This research project is grounded in a critical realist philosophy (Latour, 2004) which draws from, and contributes to, the rich traditions of interpretivist policy analyses (Yanow, 2007), feminist critique (Mies, 1993; Stanley, 1990) and critical discourse analysis (Bacchi, 2000; Fairclough, 2013). Critical realism combines the objectivity of a realist ontology with the subjectivism of a critical epistemology. Accordingly, proponents suggest that objective realities exist, but cannot be straightforwardly known. Rather, on describing the objective world, subjects engage in the necessarily interpretivist process of representation. In turn, subjects unknowingly participate in the construction of a complex social world. Furthermore, most critical realists suggest that - when subjects encounter an objectively existing thing - they view it through a

'lens' (Fairclough, 2010) or 'filter' (Yanow, 2007) and interpret it accordingly. For the purposes of this research, the relative hue of a subject's lens is understood as largely determined by her socialisation through, and acceptance of, (counter)-hegemonic ideological discourses. This is a matter I discuss, in depth, in the latter half of this chapter. It is also a contention which draws on the notion of the socialised subject, as identified in Chapter Two.

In accordance with the above, and a number of the theoretically congruent narratives informing this work,²³ I believe that I – despite occupying the space of 'researcher' – am unable to escape my own subjectivity, or the ideological contingency of my interpretations. In recognition of this, I endeavour to remain open, and accepting of the necessarily interpretative nature of my work. Furthermore, I attempt to temper this unavoidable interpretivism by bearing as true witness to my data as possible – by representing it in all its messy fullness, and pursuing an analysis which best fits that fullness. Furthermore, I have endeavoured to remain reflexive throughout my research – regarding my positionality, my politics, and my choices. Reflexivity is discussed at length in 4.1.3. Here, however, I wish to discuss the various ways my feminism has influenced this project.

4.1.2 Feminism

The influence of feminism (broadly construed) can be found throughout this thesis. Its impact is most obvious in the topics this research explores – debates regarding prostitution have long occupied a vaunted space within feminist scholarship (see Chapter Two). Building on this, and as will become apparent in the following Chapter, most of my respondents identified as feminist. Thus, my work is very frequently an exploration of feminist academic and political work. And I am a feminist. As discussed in Chapter Two, my own feminism is a dynamic and fluid politics, informed by my professional experiences, my studies and my personal life. In this thesis, it inevitably provides a (reflexively deployed) evaluative schema.

The role feminism has played in guiding my methodological choices is less straightforward. This is, at least partially, because the degree to which an identifiably 'feminist research style' exists is a contentious topic (Oakley, 1998). Many would argue that there is no *one* feminist research paradigm and that feminist scholarship is methodologically diverse (Hammersley, 1997; Stanley, 1990). I would posit, however, that my methodology is demonstrably feminist in two respects. First, I have constructed my ethical obligations to respondents through a lens of feminist vulnerability theory (see Chapter Two), and critiques of contractarianism (Ells, 2003; Miriam, 2005; Pateman, 1988). I discuss this in Chapter Five. Second, I am committed to consciousness raising (Lather, 1986; Mies, 1993) – a philosophically complex issue I wish to discuss here.

As discussed, my philosophical commitments demand that I accept my political complicity in constructing analytical narratives. In turn, this allows for a rejection of dispassionate research relationships, predicated on keeping one's distance, in the hopes of lessening one's impact (Bowen, 2009). My impact is understood as inevitable, and if inevitable it might as well be positive. Indeed, the obligation to at least try to have a positive impact is a central tenet of much feminist scholarship (Hammersley, 1993; Kelly, 1988; Lather, 1986; Mies, 1993). For the most part, my obligation to impact positively will inform what I do next: I am committed to communicating my findings to interested parties, and to shaping that communication in such a way as to create a space for change. In a more immediate sense, however, I am hopeful that my in-depth

²³ Critical discourse analysis (Bacchi, 2000), Bourdieusian theory (Bourdieu & Wacquant, 1992), and phenomenological interpretivism (Schwandt, 2000; Yanow, 2007).

interviews might have been dialogic exchanges in which meaning making was a collaborative endeavour. In turn, I am hopeful that this may have led respondents to reflect on the politicality of their representations of prostitution (Herzog, 1995). It certainly led me to reflect on the contents of mine. Generally, consciousness raising through research per se is framed as a process of aiding subjugated social cohorts in the identification and understanding of their subjugation (Kelly, 1988; Lather, 1986). However, as Herzog (1995) suggests, there is little reason why relatively empowered (policy) actors might not benefit from a process which identifies their role in subjugation and its alleviation. Admittedly, I did not seek to consciousness raise in any overt or aggressive fashion - I imagined doing so might be off-putting or potentially harmful to the stability of research interactions - but my questioning was generally in-depth, explorative of inconsistencies, and intended to be gently challenging.

In sum, my feminism propelled me towards this thesis and informed its development – substantively and methodologically. It underpins the topics selected, the literature reviewed, the respondents recruited, the ethical/practical steps taken and the analyses offered. Feminism heavily informs my politics, my ethics, and my interpretivist lens.

4.1.3 Reflexivity

Reflexivity is necessitated by my interpretivist approach: by conceding that my analysis is subjective, and influenced by my interpretative lens, I become obligated to shed the anonymity afforded by positivism and make my politics/positionality known (Yanow, 2007). Indeed, this is a process insisted upon by many theorists whose work has influenced my known. For instance, CDA theorist Bacchi (2007, 2012) argues that analysts do not, cannot, occupy an objective vantage point from which to observe discourse - the analyst's consciousness is constituted through discourse and complicit in its (re)production. In turn, Bacchi claims that “self-problematisation (‘reflexivity’) forms a crucial part of...analysis” (2012, p. 22). Similarly, Bourdieu (2001; 1992) favours reflexivity - framing it as a method through which to scrutinise the institutionalisation of, and power in, representations. Specifically, Bourdieu understands academic actors to exist within a field of knowledge production, and to possess a habitus reflective of such. Accordingly, he frames research outputs as the cultural products of academics spaces, and the dispositions they enshrine. Here, then, the authorial subject is displaced and research products become social products. As such, Bourdieu calls for a reflexive sociology - one which looks past the individual and engages in a kind of ‘socioanalysis’, which, as Wacquant explains, should be understood as “a collective counterpart to psychoanalysis” (in Bourdieu & Wacquant, 1992, p. p.43). Furthermore, Bourdieu frames this process as an antidote to power: he describes academics as “professionals of discourse and explication” and claims that they have “a much greater than average capacity to transform their.... self-interested vision of the social world, into the appearance of a scientific sociology” and to present their work as the “absolute point of view upon the object of study” (in Bourdieu & Wacquant, 1992, pp. 66–68). He therefore frames reflexivity as a disruption of this ultimately contingent, legitimation and naturalisation.

I have been on something of a journey with regard to reflexivity – I began as a sceptic and find myself converted, a proselytizer no less. On entering Social Policy - hailing, originally, from History and Law - I viewed the concept of reflexivity as something of a peculiarity, and a potentially self-indulgent one at that. Then, following some exploration, I began alluding to it in an attempt to demonstrate my understanding of post-modern ontological trends. Here, I was confessional: admitting to the invariably modest research legitimated by currents of relativism. Later, after embarking on some theoretical explorations, I began to appreciate reflexivity's potential to politicise. Here I embraced it as a discourse through which to express

the discomfort I felt with regard to my privilege – a discomfort made all the more acute by studying critical social theories. This facet of reflexivity, I must guiltily acknowledge, continues to provide something of a catharsis – a purging of my sins, a chance to affirm ‘*mea maxima culpa*’ with regard to my positionality. I am, of course, conscious that this is not what reflexivity is for, and cognizant that using it as such transforms it into self-indulgence. I thus try to heed Wacquant’s caution that reflexivity’s “primary target is not the individual analyst but the social and intellectual unconscious embedded in analytic tools and operations” (Bourdieu & Wacquant, 1992, p. 36). I will thus pause, here, to offer some reflexivity in adherence with this position.

In many ways the society I inhabit has conferred privilege on me: I am white, I am heterosexual, I am cis-gender, and I am culturally middle class. These are not, for the most part, inherent facets of my character but rather arbitrary cultural identifiers constructed and made meaningful by the social field. To paraphrase Mackinnon, I am these things but I am not the reason I am these things (as cited in Crenshaw, 1991). In many ways, then, the world I inhabit is designed for my comfort. This is a relational state, illuminated by Ahmed:

When a whole world is organised to promote your survival, from health to education, from the walls designed to keep your residence safe, from the paths that ease your travel, you do not have become so inventive to survive. You do not have to be seen as the recipient of welfare because the world has promoted your welfare. The benefits you receive are given as entitlements, perhaps even as birth rights (2014 n.p.)

The relative ease with which I negotiate some aspects of the world have undoubtedly coloured my perspectives, and the way I brandish my academic tools (e.g. critical analysis). But, on the other hand, I embody/experience a number of characteristics which tend to confer disadvantage: I am a woman, I am an economic precariat, and I suffer from an invisible disability. My privilege and my disadvantage intersect, interplay – the former provides insurance for the latter. Ideologically, I should say that I identify as a feminist and a socialist – a product (primarily) of my upbringing, but also my lived experience and my studies. Finally, I have professional experience of working with highly marginalised social cohorts (e.g. the homeless, ex-offenders). I briefly alluded to this experience in Chapter Two, so will not dwell further, save to say that this exposure profoundly influenced my perspective on the world.

But how, precisely, do these strands of influence shape my interpretative lens? How have these experiences and embodiments embedded in my intellectual habitus? It is difficult to tell. As Rose (1997) suggests, reflexivity is an invariably partial and modest endeavour. My lived experiences and positionality mediate my interpretations, for the most part, unconsciously. My self-knowledge is therefore limited (Rose, 1997). With those limitations in mind, what point is there in disclosing potentially, but not definitively, instrumental facets of my positionality? Arguably, the greatest recommendation for doing so, is that I might provide readers with information necessary to critically engage with my perspective (Gerring & Yesnowitz, 2006). In being transparent, I may help those consuming my work to find analytical purchase – a site from which critiques can be levied. This is to be welcomed. In short, if I am necessarily complicit in the politicality of my interpretations, then my positionality is relevant in evaluations of my work and should be disclosed. In addition, though constrained by uncertainty, I can provide some insight, and attempt to do so throughout this thesis. Indeed, here I would like to pause and discuss one reflexive observation I believe might be broadly revealing.

My experience of gendered subjugation has, primarily, involved my sexuality in one way or another. Like most women, I have been subject to the mores of everyday sexual harassment – from colleagues, from

acquaintances, from strangers on the street. And whether such harassment is designed to communicate the impression that I'm desirable, or repulsive (or both – a common and confusing experience) – it bothers me deeply. I am left feeling, sometimes, that my body is not my own – that it belongs to the world. Then, when I try to claim it back, to draw boundaries around me, and build walls – I am labelled no fun, no good, a troublemaker, unfriendly and unkind. I have too many examples and want to share none: I feel somehow that *I* am the one diminished and demeaned by recounting them. In sum, my personal experiences of sexualisation and objectification have been my most effecting encounters with misogyny. The notion, then, of an industry – like prostitution – which is predicated on the sexualisation and objectification of women, on the (temporary) ownership of another person's body, has long been something very troubling to me. These feelings were compounded by the relationships I built with the women I worked with – who despised prostitution, who were profoundly physically and emotionally harmed by it. I do not hate sex (as has been suggested) nor do I hate women who sell sex (as has similarly been suggested) – I hate sexually based sexism. In some ways, however, I have developed this position as a result of my privilege. I have never had to contend with how the state and market organises women's poverty. I do not, for instance, have a dependent for whom I am solely responsible – I have not been faced with choosing between the prospect of a minimum wage job and prohibitively expensive childcare, or rapidly diminishing welfare benefits wrapped up in a blanket of stigma. Nor do I know how racism transforms these experiences. I have the odd privilege of knowing only one modality of sexism – and my understanding of prostitution has been influenced accordingly. And, of course, I should say that not all those occupying similar positions to myself will experience treatments of women's sexuality as negatively as I do. In any event, these realisations, developed through research and study, are now realisations I actively endeavour to intertwine into my analytical frames. I do not, however, suppose I will ever be able to entirely extricate my initial experiences of sexism from my interpretative lens – they are too ingrained, found not through pedagogy but experience.

So far I have elaborated on two stops on my reflexivity journey – reflexivity as a post-modern exercise and reflexivity as a political/intellectual act. I would now like to discuss a third. In short, I have come to view reflexivity as a necessary part of my professional (and perhaps personal) development. I am an academic in training – a novice in many respects – and am still contemplating what kind of researcher I want to be. I have thus begun to treat reflexivity as, amongst other things, a meaningful process of outlining how and why I make difficult intellectual, practical and political decisions when no clear choice is available – as a way of presenting the researcher I am, or would like to be. A way of chronicling tension, indecision and conflict in a manner which makes clear that potentially controversial choices, which might have been made differently, were not arrived at lightly.

I touch upon many such choices as this thesis progresses but would like to pause here to make some general comments regarding the researcher I hope to be/become. In the summer of 2015, I stumbled upon some luck: after a chance meeting, I was given the opportunity to work on LSE's 'Above the Parapet' research project, which explored the life histories of women who had experienced great success in their (male-dominated) fields. In recognition of my involvement I was kindly invited to attend a dinner in honour of one such woman, attended by a number of other such women. In total, there were ten attendees and one conversation about women, sexism and the work place. Throughout the course of the evening, I was given two pieces of advice – both resonated. The first was that rage was a selfish emotion, an emotion which focused on the wounded self and not the context of wounding. I was told to turn rage outward, to turn it into the pursuit of social justice. The second was, very simply, 'be honest'. At first blush, this might appear to be straightforward guidance, but there was complexity in my advisors' meaning. They meant, both, do not lie *and* be faithful to your personal truth. Here, my advisors were not making an epistemological claim,

nor did they hope to elevate subjectivity above its contingency and contextualisation. Rather, as was explained to me, to be honest, in such a way, was to be fully answerable and accountable – to oneself and to others. At the expense of strategy or safety or even clarity, honesty regarding one’s personal truth allows for a consistency of sorts, as well as something potentially stark and telling. Following this, and other, experiences, I resolved to be an integrous, honest, kind, and accountable researcher. These are lofty, perhaps naïve, goals. But I did try, and will continue to try, to live up to them.

4.2. Interpretative Framework

Thus far I have discussed the broad intellectual and political commitments which underpin much of this thesis – critical realism, feminism and a reflexive sociology. In this section, I wish to survey the two interrelated, yet separate, interpretative frameworks used to analyse my findings (the generation of which I discuss in the following chapter). These frameworks are similar as both explore meaning making and the ‘politics of signification’ (Benford & Snow, 2000); but are dissimilar in a number of ways, most notably with regard to their representations of ‘the subject’. The first framework, CDA, is an analytical approach hailing from socio-linguistics, which draws on critical social theory, and is routinely deployed in policy analysis (Bacchi, 2000; Fairclough, 2013; Shaw, 2010). The second, SFT, derives from the study of social movements (Benford, 1997).²⁴ Here, as intimated above, I bring SFT and CDA into dialogue with one another. The impetus to initiate such a dialogue came, primarily, from observations made during my research. I felt that a truly thorough exploration and representation of generated data would require a hybrid form of discourse analysis. This is a matter I explore in more detail below. In what follows, however, I explore CDA and SFT in more generic terms.

4.2.1 Critical Discourse Analysis

CDA is a “theory of and methodology for analysis of discourse” (Fairclough, 2010, p. 178). ‘Discourse’ Fairclough (2010) suggests, cannot be defined independently, but must rather be understood as a set of relationships (the likes of which I survey below). I entirely accept this point, but for the purposes of clarity in this work, I rely on a somewhat more straightforward understanding. In summary, I understand discourse to be ‘texts’ (written/spoken) which exist both at micro/local levels (e.g. a conversation) and at macro/global levels (e.g. dominant ideologies). Notably, I understand macro-discourses to be systemic (Shaw, 2010) - the aggregate of multiple historic and contemporary micro-discourses which become broad discursive trends, often implicitly/explicitly enshrined within institutions and social constructs (e.g. gender). In any event, CDA is, as intimated, grounded in critical realism (see above). This means, that texts (written or oral) are understood as products of contingent representations. Furthermore, CDA has a number of defining characteristics: as intimated, it understands discourse to be relational; it is inherently critical; and it assumes a socialised subject. I consider each characteristic, in turn, below.

Relationality

According to CDA, discourse is inherently relational. For example, communicative acts necessarily involve a sender and a receiver, as well as a signifier and a signified (Bacchi, 2000; Bourdieu, 2006). More broadly, discourse is understood to exist in a complex web of dialectic relationships between that which exists at the micro/local level (e.g. a conversation) and the macro/global level (e.g. ideologies, power relations) (Fairclough, 2010). Each communicative act is constituted by, and constitutes, something which exists

²⁴ With that said, the concepts of ‘frames’ and ‘framing’ are present within a diverse range of works, not necessarily influenced by SFT (Butler, 2016; see Carline, 2012; Chantler, Gangoli, & Hester, 2009)

outside of a singular linguistic interaction. These dialectic relationships are therefore comprised of “mutual influence” (Poole, 2010, p. 138). In turn, this relationality means that the subject is prevented from interpreting/representing the world in a rampantly relativist fashion (Lather, 1986). This is due both to the relationship between signifier and signified, and to the dialectic relationship between immediate communicative acts and antecedent/contemporary discourses and ideologies. Goodwin (2013) illustrates this in her discussion of gender equality policy. It would be untenable, Goodwin suggests, to shift the focus of gender equality policy from women’s disadvantage to men’s privilege – to propose, for instance, that one promote maximum limits on the number of men in governing bodies, rather than minimum ‘quotas’ for women. This, she posits, is attributable to the context within which equality discourses function, e.g. masculine domination. As Jaworski and Coupland suggest, subjects can try “to sanction their view of reality but in the end it is the party which can command greater power...whose version of reality...becomes dominant” (2006, p. 500). What can be said, what is intelligible and acceptable, exists relationally to the material world, and the social world, in all of its complexity.

When engaging with CDA, then, a researcher must go beyond “specific texts in particular contexts” (Fairclough, 2013, p. 184) and seek both to describe localised discourses and their dialectic relations. In the study of politics and policy, the relationship of interest is most commonly that which exists between localised discourses and ideology, as well as institutional and social arrangements (Fairclough, 2010; Shaw, 2010). For Fairclough (2010), ideology is both a communally held interpretative lens through which subjects view the world and a macro-level discourse which exists in the service of power. He claims, for instance, that “interpretations and explanations can be said to be ideological if they can be shown to... keep in place particular relations of power” (2010, p. 9). In keeping with these trends, this thesis explores the relationship between dominant/non-dominant ideologies, and narratives of prostitution - framing ideology as a macro-level discourse, and the localised communicative acts of respondents/policies as micro-level discourses. I choose to rely on a slightly wider understanding of ideology than Fairclough, however. I would suggest that his narrow interpretation of ideology fails to capture how one cogent political philosophy might variously service and challenge existing power relations and, in so doing, arbitrarily disassociate one fragment of a discursive system from related fragments. This, in turn, seems to minimize the complex interplay of multiple macro-level discourses. As such, and as advised by Jaworski and Coupland (2006), I frame ideologies as coherent and sophisticated political philosophies which either sustain *or challenge* structures of power, whilst providing internally consistent conceptual lenses through which to make sense of the world. In the preceding chapters, I have outlined a number of salient political philosophies (e.g. neoliberalism and various feminisms), and I draw on this work in my findings chapters. In so doing, I explore commonality and difference, tension and consensus, between identified ideologies and respondent/policy representations of key issues (Fairclough, 2010).

Critical

Though originating in socio-linguistics, CDA owes much to the tradition of critical social theory – insofar as it seeks to disrupt socially contingent interpretations and representations, and demonstrate that things could be otherwise (Fairclough, 2010; Mies, 1993). CDA is, therefore, a normative project, which focuses “on what is wrong with a society....and how ‘wrongs’ might be ‘righted’ or mitigated, from a particular normative standpoint” (Fairclough, 2010, p. 7). The critical bent of Fairclough’s work has drawn criticism from his contemporaries - some of whom claim that his scholarship is primarily motivated by a distaste for neoliberalism, rather than a commitment to linguistic/social study. To illustrate, Poole suggests that, “Fairclough’s CDA becomes a mere sideshow [to his hatred of neoliberalism], with linguistics serving him only as a repository of metalinguistic terminology”, arguing that “true criticality would involve reading

against the grain of all texts” (2010, p. 152). If CDA were a methodology suited only to the study of neoliberalism, this would be a just critique – but it is not. Fairclough spends considerable time exploring Gramscian theories in order to highlight how a *multiplicity of discourses* might contribute to a subject’s interpretative tendencies (Fairclough, 2010). And even if Fairclough had been guilty of foreclosing on the study of any ideology other than neoliberalism, it does not necessarily follow that CDA in general is irrevocably mired. Indeed, feminist scholars have long employed variations of CDA to explore masculinist discourses (see Bacchi, 2005; Goodwin, 2013; Miller, 2000; Shaw, 2010). Building on his critique, Poole appears to criticise Fairclough for presupposing that neoliberalism is dominant. This would be a just critique if presupposing that neoliberalism was dominant were somehow untenable, but Fairclough is hardly alone in this thinking - he joins a chorus (see Biebricher & Johnson, 2012; Brown, 2003; Oksala, 2013). This point is significant as, no matter how thorough a research project is, it will invariably rely on presuppositions – preferably reflexively and in a way which reflects extant research. CDA is a methodology which requires a necessary expansion of the field of inquiry, from the local to the global (Shaw, 2010) - if every research project deploying this method were forced to individually demonstrate the existence/dominance of ideologies on a macro-scale, related work would become untenable. Scholars exist better as a community precisely because they can rely on the work of others.

The Pre-Reflexive Subject

As already intimated, CDA constructs its subjects as necessarily socialised - pre-reflexively influenced by macro-level systems of discourse (Bacchi, 2005). In her communicative interactions, then, the subject of CDA does not behave strategically. She is, Fairclough argues, “in no reasonable sense committed” (2010, p. 44) to the ideologies she uses in her interpretations. Autonomous subjects are, according to Fairclough, an illusion created by ideology which makes people “appear not to have been subjected or produced” (p.46). Here, then, he echoes a number of theorists surveyed in Chapter Two. Relatedly, Bacchi (2005) promotes a CDA which distinguishes between the ‘active user’ of discourse and the subject formed through discourse. The subject of CDA, she suggests, is the latter. By relying on the former, Bacchi argues, one loses the analytical traction afforded by concepts of socialisation. When we begin discussing strategic engagement with discourse, Bacchi argues, we leave the realms of CDA and begin to speak of SFT (see below). Despite the clear centrality of the socialised subject to CDA, it receives limited attention in related works. Notably, Scheuer (2003) suggests that CDA’s subject is under-theorised, and Fairclough (2010) concedes this critique may have some merit. Furthermore, Bacchi observes a tendency, within academic work utilising CDA, to ‘neglect or bypass’ discussions of the subject in such a way that “un-reflexive political proposals and practices” (2005, p. 198) occur. Clearly, then, the subject of CDA requires theorisation.

CDA and Policy Analysis

Bacchi (2000, 2012) has been influential in exploring CDA’s potential utility in the study of policy. In concord with CDA’s organising tenets, she argues that policy theorists should view policy-makers as complicit in *problem representation*. Problems are not found, she suggests, but created discursively (Bacchi, 2000). Policies are, Bacchi suggests, subjective constructions existing dialectically with materiality, as well as systems of discourse used to make sense of such materiality. This, in turn, means that policy plays a role in constituting the social, as well as “what can be said and what can be thought” (Goodwin, 2013, p. 29). Building on this perspective, Bacchi urges theorists to ask not what the *problem is*, but rather what the *problem is represented to be* - to problematize problematisations (Fairclough, 2013). In turn, Bacchi poses five related questions (see Bacchi, 2012), including ‘what presuppositions and assumptions underpin the representation of the problem?’, and ‘where are the silences?’

In any event, once a problem has been ‘represented’, a delimited range of potential solutions present themselves (Bacchi, 2012; Fairclough, 2013). They are delimited, though not absolutely defined, by the problematisations offered. In the words of Laclau, “questions do not operate as purely neutral, leaving the field of the answer entirely open; rather, questions operate in the sense of narrowing the field of the answer. So questioning is already the first step in the organisation of a discursive field” (interviewed in Worsham & Olson, 1999, p. 10). To borrow a concrete example from my introductory chapter, in framing prostitution as a matter of individual vulnerability, policy-actors in Westminster arguably legitimised the use of therapeutic hyper-responsibilising interventions.

As will become apparent in future chapters, my treatment of data is heavily influenced by the work of Bacchi. With that said, her disapproval of academic efforts which frame subjects as ‘active users’ of discourse (as discussed above) presents a challenge within the context of my research. As best exemplified by Chapter Eleven, a notable proportion of my respondents appeared to engage consciously, often strategically, with the promotion of certain ideological narratives. In response to such observations, I followed Bacchi’s (2005) advice regarding SFT, and its capacity to attend to such matters.

4.2.2 Sociological Frame Theory

SFT originates from the study of social movements (Benford, 1997; Benford & Snow, 2000; Williams, 1995). Whilst social movements could be narrowly construed as informal groupings of activists and campaigners (e.g. the Occupy Movement), I would contend that they can be understood in broader terms which capture semi-formal and formal groupings/organisations, e.g. policy-making coalitions. Indeed, I would suggest that the theoretically illuminating application of SFT to findings in this thesis provides evidence for this claim. In any event, SFT explores the way subjects discursively ‘frame’ events. A frame can be understood as a system of understanding in which individual elements are made meaningful by their relationship to one another, *and* a bounded structure which signifies what is, and is not, salient with regard to a particular topic (Benford, 1997). Frames perform an “interpretative function” and “render events or occurrences meaningful...thereby function(ing) to organise experience” (Benford & Snow, 2000, p. 614). By way of hypothetical example, a theorist might employ a ‘cultural’ frame to explain so-called honour violence. In so doing, she might choose to represent such violence as causally related to a particular culture whilst, perhaps, neglecting to discuss the role played by gender relations (Reddy, 2008). In so doing, she would invest both culture and violence with interrelated meaning, whilst rendering other variables comparatively meaningless. Indeed, SFT presupposes, much like CDA, that meaning is “an accomplishment of human interaction” (Benford & Hunt, 1992) rather than something which exists independently, out there in the world.

Much like CDA’s subject, SFT’s subject creates frames in a bounded space. ‘New’ frames are not “an empty glass into which new and alien ideas can be poured” (Benford, 1997, p. 422). Subjects cannot, Williams (1995) suggests, “create...versions of (reality) out of whole cloth” (p.129). Rather they are understood to draw from a range of cultural resources (Swidler, 1986; Williams, 1995). Here, as Swidler (1986) explains, culture is not understood as a unified system – but rather a messy conglomeration of diverse symbols and narratives originating from different social spaces. In turn, the cultural resources available to subjects are plentiful, manifold, and frequently contradictory. Individual pieces can be variously chosen and fashioned in the service of a desired message. In turn, cultural resources are shaped and transformed by social movements. As in CDA, the relationship between the macro (culture) and micro (the movement message) is bilateral/dialectic (Williams, 1995). Subjects are, therefore, engaged in a complex process of bounded and

mutually constitutive meaning making. And when subjects come together to engage in this process communally, they generate collective action frames (Benford & Snow, 2000). Most notably, with regard to this thesis, collective actions frames are frequently generated to make sense of the problem (e.g. prostitution) around which a movement is organised, and are “prefatory to collective...protest” (Benford & Snow, 2000, p. p.615). In any event, Benford and Snow (2000) identify some frame typologies, as well as a number of strategic interventions subjects employ to promote their preferred problematisations within wider political society. In what follows I survey the typologies and strategies which are relevant to this thesis (principally Chapter Eleven): diagnostic framing, prognostic framing, and frame resonance.

Diagnostic frames focus on causality and blame attribution (Benford & Snow, 2000). These frames offer explanatory narratives of a ‘problem’, focusing on who or what is responsible and how responsibility functions causally. Many diagnostic frames strive to show - by drawing on an appropriate cultural repertoire - how “antagonists have violated cultural norms regarding the proper use and distribution of power” (Benford & Hunt, 1992). To illustrate, the PSWR scholars surveyed in Chapter Two sought to represent the state as an ‘antagonist’, insofar as they represented it as an unjust constraint on the free choice of women who wished to sell sexual services. *Prognostic frames* focus on the identification of appropriate remedial action, and are consequent to diagnostic frame (Benford & Snow, 2000). Echoing Bacchi and Laclau (above), Benford and Snow (2000) argue that “identification of specific problems and causes tend to constrain the range of possible ‘reasonable’ solutions” (2000, p. 616). For example, Carline (2011) posits that the UK government diagnostically framed prostitution as an issue of individually vulnerable women in order to legitimate increasingly punitive interventions aimed at third parties (e.g. ‘traffickers’).

Diagnostic and prognostic frames are negotiated by, and provide scripts for, movement actors (Benford & Hunt, 1992). In turn, SFT analysts suggest, political struggles ensue - involving a “battle over whose framing of an issue is authoritative” (Williams, 1995, p. 127). Thus, frames are routinely contentious and, when two or more social movements attend to a specific problem, adversarial (Knight & Greenberg, 2011). Furthermore, many movements experience conflict within ranks, over the finer points of framing. This is a phenomenon I highlight, through an analysis of my findings, in Chapter Ten. In summary, I highlight a framing dispute – within the abolitionist coalition – regarding the proper way to justify prostitution’s inclusion in VAWG narratives. Building on this, contests and disputes are understood to occur within “complex, multi-organisational – sometimes institutional – arenas” (Benford & Snow, 2000, p. 626) which shape framing dynamics in myriad ways (Williams, 1995).

Frame resonance and salience refer not to frame typologies, but features which make particular framings more or less successful in any given political field. By successful I mean, at the least, accepted as credible and, at best, incorporated into official (policy) representations (Williams, 1995). These features are predicated on the assumption that the way external subjects (from the powerful to the bystander) view and consume frames, mediates the relative success of such frames (Williams, 1995). Benford and Snow (2000) identify a veritable assortment of ways features can be maximised. Here I consider the two most relevant within the context of this thesis: **claims-maker credibility** and **narrative fidelity**. Arguments regarding **claims-maker credibility** are premised on the proposition that the perceived credibility of a speaker will contribute to how persuasive an audience finds them (Mor, 2012). The more credible the speaker, the more prone audiences will be to accept the frames they promote. Importantly, credibility does not reside, in any inherent sense, in the speaker. As Mor (2012) suggests, credibility is conferred upon the speaker by an audience, following an interactive process of representation and interpretation. Such interpretations and representations are, in turn, related to normative discourses regarding what constitutes truth, legitimate

knowledge and reliability (Knight & Greenberg, 2011). Processes contributing to the construction of claim-maker credibility include both impression management (Mor, 2012) and adversarial framing (Knight & Greenberg, 2011). Impression management is any behaviour or communicative act designed to control how others perceive you – acts designed to highlight prestige, authority and accentuate expertise (Mor, 2012). Conversely, adversarial framing refers to the way opposed movements “characterise one another’s claim making practices and moral characters” (Knight & Greenberg, 2011, p. 325). They are not critiques of substantive frames, but rather *ad hominem* attacks which focus on an opponent’s lack of expertise, trustworthiness, experience, past behaviour or moral turpitude (Knight & Greenberg, 2011; Mor, 2012). Moving on, **narrative fidelity** refers to how culturally resonant a frame is perceived to be by an audience; and to how intimately a frame speaks to strongly held beliefs/ideologies (Benford & Snow, 2000) or exploits recognisable symbols/narratives (Williams, 1995). In theory, the more resonant a narrative the more successful it will be in the political field (Benford & Snow, 2000). Here, we can see echoes of CDA and of related contentions regarding the way micro-level discourses are dialectically related to/constrained by antecedent and contemporary discourses more broadly. Here, Goodwin’s (2013) untenable gender equality policy would be understood to have limited narrative fidelity due to its low cultural resonance with the discursive order of masculine domination.

Strategic processes are deliberative and calculating acts, performed by relatively aware agents, designed to promote frames. To illustrate, agents may wish to amplify the resonance of their frames by highlighting/embellishing areas of overlap between it and extant cultural narratives (Benford & Snow, 2000). In so doing, they might hope to increase the narrative fidelity of their frame, whilst underplaying dimensions of their position which contradict dominant cultural norms. Alternatively, agents may go so far as to modify, transform or translate their message so that it speaks to a “host culture” (Benford & Snow, 2000, p. 627). Building on this, subjects might promote subtly different frames to different audiences occupying different ‘cultures’, e.g. bystanders versus elites (Benford & Hunt, 1992). In a dramaturgical analysis of framing activities, Benford and Hunt (1992) represent social movements as engaged in a series of performances – each designed to attract, speak to, move and influence a specified audience. They warn that failing to attend to one’s narrative fidelity, can cause a social movement to be discounted as ‘fringe’, whilst excessive alteration might lead to a social movement being perceived as unprincipled.

Here, then, we see the most fundamental way SFT differs from CDA. Whilst CDA is organised around a pre-reflexive subject; SFT depends - at least partially - on a strategically engaged and rational agent (Benford & Snow, 2000; Williams, 1995). With that said, there is little guidance within the SFT literature regarding the precise nature of its agent. Furthermore, there is some evidence to suggest that subjects are understood to be at least partially socialised and therefore pre-reflexively engaged in frame creation/promotion. For example, Swidler (1986), whose work on cultural repertoires underpins much SFT scholarship (see Benford & Hunt, 1992; Benford & Snow, 2000; Williams, 1995), suggests that strategies of action “depend on [the subject’s] habits, moods, sensibilities, and views of the world” (1986, p. 277) and that movement actors do not “plan consciously...to attain a goal” (p.277). Over and above this, however, there is little attention paid to the subject of SFT. Indeed, SFT theorist Benford argues SFT theorists have neglected the topic of subject agency and have, in turn, tended to anthropomorphise collective action frames as if they were capable of “engaging in activities that only human beings are capable of” (1997, p. 418). In addition, I would suggest that too little has been said about how – precisely – subjects come to know and understand the cultural repertoires they purportedly depend on. Does such knowledge depend on pedagogic activity or a more subtle form of inculcation? As with CDA, then, the subject of SFT requires explicit theorisation.

4.2.3 Bringing CDA and SFT into Conversation

CDA and SFT are similar in a number of ways. Both represent meaning making as a contingent and contested process. Both explore how micro-level discursive processes draw from macro-level phenomena (e.g. culture/ideology) and go on to suggest a circular and iterative process of (re)production. Relatedly, both understand localised discourses (e.g. movement frames/texts) as bound by extant discourses. They differ, most profoundly, with regard to conceptions of the subject (Bacchi, 2005). Whilst CDA assumes a pre-reflexive and socialised subject, formed through discourse, SFT is at least partially reliant on an 'active user' of discourse. Both suffer, however, from under-theorisation in this regard. I would like to tentatively suggest that these similarities, and this difference, allow for a symbiotic coupling of the two interpretivist frameworks. Whilst the former hints at theoretical compatibility, the latter presents a theoretical opportunity.

To provide an example of potential symbiosis, Benford (1997) critiques SFT theorists for focusing too absolutely on the identification of different frame typologies and claims that this kind of scholarship has created diminishing returns – namely, a proliferation of increasingly specific examples. This descriptive bias, Benford argues, comes at the expense of work which explores more abstracted matters, e.g. culture and political field dynamics. By bringing SFT into dialogue with CDA – in particular, its explicit emphasis on the centrality of dialectic relationships – one might overcome descriptive tendencies by necessitating a study of more macro-level trends and their causal implications. Of course, one could argue that SFT theorists should merely be prevailed upon to pay more significant regard to the role of 'cultural repertoires', as described in their fundamental texts. I would suggest, however, that this might foreclose upon a mutually fruitful conversation – one which could allow theorists to benefit from relevant extant scholarship. I would suggest that more can be achieved through dialogue than by starting afresh.

In addition, I posit that a more sophisticated concept of the subject is required for both CDA and SFT: one which can encapsulate socialisation and strategic action in tandem; one which can simultaneously view discourse as subject forming and actively deployed. How else will CDA attend to the subject who claims to engage strategically with discourse (as my respondents do)? How else will SFT account for subjects who, without demonstrable study, possess a feel for the game sophisticated enough to make their frame promotions successful? I argue, in tandem with Scheuer (2003), that the Bourdieusian subject could provide this hybridity and complexity. I depart, however, from Scheuer's approach – as he focuses on conversational dynamics, whereas I wish to explore dialectic relationships and agency.

As discussed in Chapter Two, Bourdieu's (1977, 2001) sociology relies on the belief that subjects are formed through the internalisation of the external – that their dispositions, tastes, desires and opinions are shaped by a) their immersion within various conceptual fields and b) their unique social trajectories. Here, then, Bourdieu provides a way to understand how historic and contemporary socialisation results in the pre-reflexive acceptance of symbolic and cognitive schema (e.g. ideologies) (Scheuer, 2003). This, in turn, provides a more sophisticated account of how different social spaces provide different macro-level discourses; as well as how such discourses are naturalised, form subjects and create bounded/ideologically laden interpretations. Furthermore, I would suggest that Bourdieu's theory provides a conceptually advanced bridge between CDA and SFT. To illustrate, he suggests that:

"It is... never ruled out that responses of the habitus may be accompanied by a strategic calculation tending to carry on quasi-consciously.... But the fact remains that these responses are defined first in relation to a system of objective potentialities, immediately

inscribed... [which] puts itself forward with an urgency and a claim to existence excluding all deliberation” (1977, p. 76)

Here, then, Bourdieu posits that subjects may ‘carry on quasi-consciously’ – actively strategizing through calculative and seemingly rational thinking. He goes on to suggest, however, that such behaviour is inherently situated in, and must therefore be understood by reference to, the subject’s pre-reflexive acceptance of a contingent reality as ‘objective’ and unavoidable. Imagine, for a moment, an iceberg – the vast quantity of which exists below the water (the unconscious). What we see (the quasi-conscious) may appear detached, but is in fact heavily dependent on, and informed by, that which exists beneath it.

To offer a hypothetical example, which I develop with substantive examples in Chapter Eleven, in strategically promoting a narrative which has fidelity with existing cultural narratives, subjects may pre-reflexively draw on doxic acceptance of the organising principles of the field of knowledge production. These organising principles or ‘rules of the game’ will be, at least partially, the consequence of symbolic (ideological) schema which are, subsequently, reproduced by adherence to them. If we accept these propositions, it follows that strategic acts of promoting certain frames will be related to the pre-reflexive acceptance of certain framing parameters – the subject’s quasi-conscious and unconscious work together in ways which produce and reproduce one another, and their social fields.

The manner in which I bring CDA and SFT into dialogue with one another, and Bourdieusian sociology, represents one of the key original contributions of this thesis. It is a dialogue I am hopeful other theorists might find useful when seeking to conceptualise and analyse complex and multifaceted discursive behaviours, and the subjects who engage in them. Certainly, it is an interpretivist approach I found particularly elucidating with regard to my own findings, as best evidenced by my work in Chapter Eleven.

4.3 Conclusion

In this chapter I have reviewed the methodological theories which inform and underpin this work. I began by discussing critical realism – a research philosophy which twins a realist ontology with a relativist epistemology, and frames the material world as objectively existing but fundamentally unknowable. I then moved on to discuss my feminism – a fluid politics, informed by a range of texts and experiences which guide both my research design and analysis. Then, I discussed reflexivity – in theoretical and substantive terms – before moving on to discuss the two interpretative frameworks used to make sense of and evaluate my data. In the next chapter, I explore how these intellectual and political commitments informed the practicalities of my research – from method selection, to ethics; from analysis to write up.

Chapter Five – Methodology: Practice

The findings explored within this thesis were generated through a multi-method qualitative approach. Seven policy documents - published by three Westminster governments over a period of eight years (2004-2012) – were selected for documentary analysis. Furthermore, 21 policy-actors – hailing from government, statutory and third-sector organisations – participated in semi-structured qualitative interviews. In what follows, I discuss the practical dimensions of these methods – exploring sampling, access, and ethics. Thereafter, I discuss my approach to analysis (in an applied sense), highlighting the way I deductively and inductively generated codes. I try to remain reflexive throughout - highlighting the tensions and difficulties I encountered, and the lessons I learned in facing them.

5.1 Methods

In designing my research, I wished to select methods which were appropriate a) for the research questions posed and b) the research philosophy/ interpretative frameworks identified in the previous chapter. Given my interest in texts (e.g. discourses, communicative acts), and interpretations/representations, there was no question that qualitative methods were preferable to their quantitative counterpart. I desired rich, complex data regarding beliefs/ideologies - data no quantification could provide (Mason, 2002). Building on this, I had to balance my sometimes lofty ambitions with my limited material resources and time, as well as related practicalities (e.g. access).

Sabatier (1988) advises that data regarding beliefs can be obtained through methods like surveys, elite panels or documentary analysis. I considered, and dismissed, a number of these suggestions. For instance, though employing surveys might have allowed me to access a broad range of policy-actors, I was concerned that they would not have elicited the depth and intricacy sought (Schwartz-Shea, 2012). I was also concerned that, in designing workable surveys, I would have been forced to too firmly delineate the scope of inquiry, and consequently sacrifice the potential discovery of otherwise unexplored areas of interest (Mason, 2002). I selected semi-structured qualitative interviews and documentary analysis on the grounds that they would allow me to generate the kind of rich data required to address my research puzzle. In addition, I imagined each method would complement and augment the other: enriching research design, implementation and analysis (Moran-Ellis et al., 2006).

To begin with, however, I was a little naïve regarding the precise way my methods would complement one another. Put plainly, I imagined that interviewees would be able to straightforwardly explain documents: that they would definitively clarify the ideas and definitions which underpinned certain concepts articulated within official policy. I thought, in essence, that my respondent would merely elaborate on information already gleaned from necessarily partial (written) texts. In addition, I imagined that if there were conflicting views regarding the matter at hand, I would be able to *read-off* whose interpretation won out in a battle of signification, from the documents in question. Fundamentally, I thought policies were abridged versions of the positions held by easily identifiable policy-actors. I believed this in apparent concord with Sabatier, who suggests that policy products provide a “canvas” for “assessing the influence of various actors on public policy over time” (1988, p. 132). What I did not realise was that policy-making was a great deal more complicated than initially anticipated. I am not, of course, the first researcher to have been faced with this reality, and had I been more sensitized to the issue I would likely have recognised it in the work of others (see Bartlett & Vavrus, 2014; Freeman & Maybin, 2011; Munro & Scoular, 2012).

What this means in practice, is that the policy documents analysed for the purposes of this thesis tend to differ *somewhat* from the opinions of *all* parties interviewed. I do not, in sum, know *precisely* why written policies are the way they are – why the positions within them diverge, to a degree, from their contributors, and who is responsible for such divergence. It is possible that it results from my limited sample of interviewees. If I were to speculate, I would suggest that this played a role but that, in addition, discursive struggle over contested policy narratives – within policy-making activities - resulted in the articulation of oddly hybrid positions. As Freeman and Maybin observe, the policy document can bring “multiple social relations into being, both collaborative and resistant, heterogeneous and ambivalent” (Freeman & Maybin, 2011, p. 160). To ascertain whether or not this was the case in this particular context, further research would need to be performed with policy-brokers, e.g. actors whose “primary concern is with keeping the level of conflict [between adversarial coalitions] within acceptable limits and with reaching some ‘reasonable’ solution to the [policy] problem” (Sabatier, 1988, p. 144). Such research would, unlike this project, focus on the procedural dynamics (rather than substantive content) of policy-making.

In any event, this thesis - which results from the integration of documentary and interview data - is a more modest, but more complex, affair. It is a study of a number of different narratives, existing concurrently and in a complex web of (often contentious) relationships. It is an exploration of the ambivalent meanings/implications of concepts deployed within written policy, and, indeed, by policy-actors. It is an investigation of contestation and consensus, harmony and discord. In turn, it is a study of ideologies, beliefs, interpretations and representations – both pervasive and marginal. Documents play a variety of important roles – they are carriers of discourse, they are inscriptions of an official position, they are historically bounded signposts of where we have been (Freeman & Maybin, 2011). They just happen not to be a straightforward reflection of respondent positions, as I (naively) thought they might be.

5.1.1 Documentary Analysis

Government, as Freeman and Maybin suggest, is “unthinkable, impracticable, not feasible, without documents” (2011, p. 155). Communicative and symbolic (Hodder, 2000) – the document holds an important role in modern governance. Physically enduring, mobile and often materially immutable (Freeman & Maybin, 2011) institutional records assist in explorations of the political landscape. The seven policy-documents analysed in this thesis – four of which concern prostitution and three of which concern VAWG - communicate the various official positions of various governments. Over and above providing a repository of representations, documents have contributed to my research in a number of unique ways. To illustrate, by studying documents published over an 8 year period, I have been able to explore policy fluctuation/consistency (Bowen, 2009). Though policy change (or lack thereof) is not the primary focus of this thesis, evidence of framing (in)stability has enriched my work (Bacchi, 2012; Sabatier, 1988). In Chapters Nine and Ten, I evidence a relative instability in conceptualisations of prostitution as VAWG, by tracing changes over time. In what follows I discuss the practicalities of document selection.

Access and Sampling

In keeping with the broader delimitations of the field of study, I chose to analyse texts published by Westminster governments. All selected texts (the specifics of which are discussed below) were easily acquired online – either from government websites or the digitised National Archives. Speaking in general terms, a number of considerations informed my sampling practices. I was conscious, for instance, that I wished to obtain documents published at different points, by different governments. This, I imagined, would allow me to achieve some phenomenal variation (Coyne, 1997) in interpretation/representation, and

explore framing (in)-stability (as discussed). Both such features were deemed desirable insofar as they would allow me to capture the complexity of the phenomenon studied. I was, additionally, conscious that the type of analysis I wished to perform would be both work intensive and time-consuming – and that I would have to limit the number of documents studied to a degree. In any event, after concluding a preliminary scoping process, I selected seven documents. In what follows I discuss how and why I chose the policies selected in each of the policy fields studied (prostitution and VAWG).

Prostitution Policies

Initially, following a review of prostitution policy literature (see Kantola & Squires, 2004; Lacey, 2001; Soothill & Sanders, 2004) and a thorough search of government webpages, I identified 10 documents which could have contributed to the work of this thesis. At this juncture, I was searching for contemporary policy (e.g. published in the last 10 to 15 years) which ostensibly addressed prostitution in some form. The documents found included *Setting the Boundaries* (Home Office, 2001) – a consultation document preceding the passage of the *Sexual Offences Act 2003*; *Shifting the Burden: Inquiry to Assess the Current Legal Settlement on Prostitution in England and Wales* (APPG on Prostitution and the Global Sex Trade, 2014); and four trafficking policies spanning the Labour and Coalition governments (e.g. *UK Action Plan on Tackling Human Trafficking*, (Home Office, 2007)). Following a preliminary reading, I selected four policies for analysis. These are listed in Table One. For ease of reference I have included both their full titles, and the shorthand I (and others) use.

Table 1 Prostitution policy documents selected for analysis

Name	Shorthand	Date	Government	Brief Description
Paying the Price: A Consultation Paper on Prostitution	Paying the Price	2004	Labour	The first holistic review of prostitution since the <i>Wolfenden Report</i>
A Coordinated Prostitution Strategy and a Response to Paying the Price	Coordinated Strategy	2006	Labour	A summary of the responses received following <i>Paying the Price</i> , and a strategy for addressing prostitution.
Tackling the Demand for Prostitution: A Review	Tackling Demand	2008	Labour	A review which recommends criminalising sex buyers who engage coerced sellers in transactional sex. Led to s.14 PCA (see Chapter One).
A Review of Effective Practice in Responding to Prostitution	The Review	2010	Conservative-Liberal Democrat Coalition	An evaluation and review of local and regional prostitution service provision and management in England and Wales.

I began by selecting *Paying the Price* as it was the first holistic prostitution policy to be published in approximately fifty years, and the first to strongly promote a more welfarist framing, signalling a discursive watershed within related discourse (Kantola & Squires, 2004). Thereafter, I chose to disregard *Setting the*

Boundaries (Home Office, 2001) as the vast majority of the text did not concern prostitution. This meant *Paying the Price* represented the earliest publication studied which allowed me to identify an appropriate time period for my research, overall. I concluded, at this juncture, that I would only interview policy-actors active, and policy documents published, during the period of 2004-2014. The end date was informed by the practicalities of respondent/document selection – I could not go on indefinitely, and had concluded the process by early 2015. With that said, the most contemporary documents reviewed were published in 2012 – this was due to the elimination of later documents by reference to other sampling criteria, which I will now address.

Following these preliminary scoping exercises, I decided against the inclusion of trafficking policies. Though, as discussed in Chapter One, the policy fields of prostitution and trafficking are only semi-autonomous and whilst there is meaningful narrative overlap between their discourses (Day, 2009; Kantola & Squires, 2004), they are distinct in a number of respects. Both have a rich body of scholarship dedicated to them and whilst policy-actors overlap, in broad terms the groups of people working on the topics, differ. To study trafficking discourses, would be to necessitate a widening of scope that would have made this research impracticable. After identifying restrictions based on time and topic, I was left with five possible documents. I excluded one, *Shifting the Burden* (APPG on Prostitution and the Global Sex Trade, 2014) as it was an All Party Parliamentary Group publication, rather than government policy, and in fact appeared to represent only the views of a subsection of abolitionist policy-actors. It therefore seemed a poor fit with the other documentary data selected – which were all documents ostensibly created in collaboration with a range of differently positioned policy actors, holding distinct perspectives on the topic.

Violence against Women and Girls Policies

Following a review of academic literature which pertained to domestic UK VAWG policies (see Dustin et al., 2013; Gadd, 2012) and a thorough search of government webpages - I identified six VAWG documents which could have contributed to the work of this thesis. Following a preliminary reading, I selected three such policies for analysis. These are listed, in Table Two, below.

Table 2 VAWG policies selected for analysis

Name	Shorthand	Date	Government	Brief Description
Together We Can End Violence against Women and Girls: A Strategy	Together We Can End VAWG	2008	Labour	The first comprehensive VAWG policy (e.g. containing multiple forms of gendered violence)
Call to End Violence against Women and Girls	Call to End VAWG	2010	Conservative-Liberal Democrat Coalition	The first comprehensive VAWG policy to be published by a non-Labour government.
Call to End Violence against Women and Girls: Taking Action – The Next Chapter	Taking Action	2012	Conservative-Liberal Democrat Coalition	A substantive and detailed review of the coalition approach to VAWG.

Whilst, as discussed in Chapter One, a number of early policies - addressing siloed forms of violence - deployed ostensibly VAWG narratives, the first integrated policy dedicated to, and encapsulating, multiple forms of violence was not published until 2009 (Dustin et al., 2013; Gadd, 2012).²⁵ This document was selected. Shortly after this, in 2010, the Coalition Government published their first comprehensive VAWG policy. This was similarly selected. The Coalition then published a number of subsidiary documents - updates and action plans - designed to supplement their flagship text. Following, a preliminary reading, I identified *Taking Action* (as above) as an appropriate document for the kind of analysis I wished to perform and research questions I hoped to answer. The available alternatives (e.g. two documents entitled *Call to End Violence against Women and Girls: An Action Plan* (HM Government, 2010b, 2014)) only outlined policy objectives and outcomes, and thus offered scant data. Whilst the articulation of policy objectives provides some guidance regarding diagnostic/prognostic frames, publications which focus on those issues – to the exclusion of others – offer little in terms of context. This proves particularly limiting when only certain sections of the document under study are wholly relevant (e.g. generic VAWG narratives and those which pertain to prostitution).

A thorough exploration of how documents were analysed is provided in the latter half of this chapter, following the next section, which discusses my use of semi-structured interviews. As already intimated, I used documentary analysis and interviews as complementary methods. Whilst this is mostly made manifest in my treatment of findings, it was also apparent in the design and performance of my research methods. As suggested by Bowen (2009), I used policy documents to identify potential participants and in the design of my interview aide memoire. For example, with regard to the latter, I asked multiple questions regarding the term ‘vulnerability’ – an issue I may not have identified as relevant had I not examined the policies discussed.

5.1.2 Semi-Structured Qualitative Interviewing

In this section, I explore the way semi-structured qualitative interviews were employed to elicit rich and detailed data, relevant to the central themes of this thesis. In what follows I discuss sampling, access, ethics and the everyday practicalities involved in conducting research interviews. I begin by discussing the population of actors from which I chose to recruit respondents. From the very inception of my thesis, I was certain that I wished to speak with individuals whose representations had been made *relatively* influential by their involvement in Westminster government policy-making exercises. I sensed, prior to studying social policy, that the contingent narratives promoted by these individuals were probably afforded a kind of power (to shape subjects/societies) and were therefore important properties of the social world. This was a sense which I was later able to situate in more academic terms, following expansive reading (Bourdieu, 2006; Fairclough, 2013; Mason, 2002). In turn, I was keen to understand - and critically engage with – policy-actor representations.

On a more practical level, I was cognisant – from past experiences of activism, the law, and third sector work - that a broad array of individuals would fall within the group of policy actors described above. I understood policy design to be a complex process involving multiple types of actors. I was similarly conscious that much Westminster prostitution/VAWG policy was created with contributions from an array of ‘stakeholders’. Indeed, this is explicitly acknowledged within *Tackling Demand* and *The Review*. For instance, the latter claims that its development was overseen by a steering group of stakeholders from

²⁵ For a list of all subsidiary documents, and other texts not deemed appropriate for analysis see: <https://www.gov.uk/government/policies/violence-against-women-and-girls>

organisations such as the Crown Prosecution Service, the Local Government Association, Eaves²⁶ and the UK Network of Sex Work Projects.²⁷ I therefore felt it necessary to operationalise the term ‘policy-actor’ in a way which eschewed narrow, institutionally bounded conceptions of the term, and embraced the complex topography of policy-making. In seeking a theoretical basis for this operationalisation, I explored a number of frameworks, including multi-level governance (Bache & Flinders, 2004; Peters & Pierre, 2001) and ‘policy influentials’ (Muller & Headey, 1996; Song & Miskel, 2005). I discarded the former as its tenets appeared inappropriate for my project, which addresses one level of government. I also discarded the latter as I was unconvinced by its central premise, e.g. that influence was quantifiable. Following careful consideration, I settled on Advocacy Coalition Framework (ACF) (Sabatier, 1988; Weible, Sabatier, & McQueen, 2009), as I was struck by how closely its central tenets spoke to preliminary observations I had made of the field under study. To illustrate, ACF suggests that policy-actors organise themselves into multi-institutional and cross-sector groups, dependent on their perception of a problem. This was precisely the kind of organisation I observed in the prostitution policy subsystem. As such, in what follows, I explore ACF in more detail.

Sabatier’s (1988) ACF is grounded in a number of interrelated propositions. First, Sabatier proposes that large and complicated policy systems require policy actors to specialise and form smaller policy subsystems. In turn, within subsystems, “actors can be aggregated into a number of advocacy coalitions composed of people from various organisations...who often act in concert” (Sabatier, 1988, p. 133). Importantly, Sabatier suggests that advocacy coalitions are enduring, and organised around value judgments and causal assumptions (rather than self-interest or convenience). He goes on to suggest that coalition members tend to possess fairly sophisticated belief systems (due to their relatively elite status), which they endeavour to translate into policy. Here, then, Sabatier dismisses institutionally bounded conceptions of policy-making, as well as frameworks which favour straightforwardly top-down/bottom-up conceptions of influence. Instead, he encourages theorists to focus on coalitions comprised of “actors at various levels of government active in policy formation, as well as journalists, researchers and policy analysts who play important roles in the generation, dissemination, and evaluation of policy ideas” (Sabatier, 1988, p. 131).²⁸ In turn, such actors are understood to show a “nontrivial degree of coordinated activity over time” (1988, p. 139). Over and above these specifications, Sabatier refrains from identifying specific typologies of policy-actor – framing their precise identities as a largely empirical question. ACF, then, invites analysts to study the specifics of individual policy sub-systems and to look beyond institutional affiliation, identifying policy-actors by reference to their work with, and contribution to, advocacy coalitions. As I discuss in due course, this was guidance I followed.

ACF is, for the most part, a theory of policy stability and change. In brief, Sabatier suggests that the relative (in)-stability of policy products can be explained by: the composition of subsystems; the way advocacy coalitions learn; and the interaction between exogenous factors (e.g. the economy) and subsystems/coalitions. He suggests that policy stability/change occurs over time and advises that, to truly understand these processes, one must commit oneself to a longitudinal study covering a decade or more. As discussed, my research does not explore policy change but rather focuses on the ideological nature of representations (largely analogous with Sabatier’s belief systems). I do not, therefore, adopt Sabatier’s

²⁶ A former third-sector abolitionist organisation, focusing on campaigning and service provision.

²⁷ An umbrella organisation, representing a number of service providers, academics, campaigning organisations etc.

²⁸ Sabatier does concede that select institutions deliver integral resources, e.g. the power to legislate, and therefore play an important role within coalitions

position in its entirety, nor did I seek to test his hypotheses. Rather, I embrace ACF as a heuristic - a way of conceptualising the concept 'policy-actor'.

Sampling

As intimated, who constitutes a policy actor, and what coalition they occupy, are empirical matters peculiar to each subsystem of study. Every researcher must, therefore, go about identifying their own key players. My practice-based experiences had allowed me to develop a sense of who such players might be, and how the field of study might be organised. In turn, this presented a heuristic, but not deterministic, template for understanding the policy-subsystem identified for study (e.g. prostitution). To augment this with a more stringent approach, I began by methodically reading through a number of the policy documents identified during my preliminary scoping exercise, and recording names of departments/organisations/individuals cited. I then sourced Hansard records of the second reading of the *Policing and Crime Act 2009* (see Chapter One) and noted names of contributing speakers. Building on this, I found the registers of relevant All Party Parliamentary Groups (APPGs). This process elicited around 90 department/organisation/individual names. Specifically, my list included MPs, Lords, researchers, service providers, campaigning organisations, statutory organisations (e.g. the police), and ministerial departments. According to ACF, these individuals, and members of these organisations, could meaningfully be deemed 'policy-actors'.

In practice, this approach to identifying policy-actors posed some challenges. Most notably, it was not always possible to identify whether potential respondents were key players, or whether they occupied the "fuzzy periphery" (Weible et al., 2009, p. 130) of the prostitution subsystem. For the most part, this challenge was remedied by the realities of self-selection – many potential respondents opted out of my research on the grounds that they were insufficiently involved. One, perhaps two, less than central actors slipped through. However, after reflecting on the data generated through their interviews, I became more enthusiastic about the theoretical value of their inclusion. Promoted representations and frames are developed dialogically and dialectically, strategically and without conscious reflection (Benford & Snow, 2000; Fairclough, 2010) – what results is not a pure manifestation of some core, internally consistent, belief system, but rather a negotiated text deployed differently by/for different policy-actors/audiences. This was something I became increasingly conscious of throughout my research, and something which is made apparent in my findings chapters. Those existing at the fuzzy periphery are valuable, then, as they provide key insights regarding the dynamics of those negotiations, e.g. which concepts are dominant throughout coalitions, and which taper away as its borders draw into sight. In any event, following this systematic process of respondent identification, multiple potential interviewees were identified through snowballing (Farquharson, 2005). Here, I asked pre-existing respondents to identify peers they felt could assist me. This method yielded a handful of successes. It was also particularly helpful with regard to identifying advocacy coalitions, insofar as respondents tended to refer me to other actors whom they knew well, and worked with.

In the interests of achieving phenomenological variation (Coyne, 1997) in representations, I created three sector based typologies (government, statutory, and third) and categorised potential respondents accordingly. There would appear to be very limited (overt) private sector involvement in the prostitution policy subsystem - its exclusion from the sampling process therefore seemed unproblematic. I then tried to achieve some level of balance in who I interviewed, aiming for a spread of respondents from across all three typologies. I pursued this approach on the grounds that representations might be, at least partially, dialectically related to and mediated by institutionally bounded discursive spaces (Fairclough, 2010). More

materially, I theorised that different objectives (e.g. public protection, social change) might create different representations of problems/solutions, which would then be brought together in negotiated texts.

With regard to identifying coalitions, I began by focusing on actors and organisations demonstrably involved with VAWG activism. I felt that, in so doing, I would be able to generate data apt to answer my second research question (e.g. “how do policy-actors and documents variously include and exclude prostitution from narratives of violence against women and girls?”). This, in turn, brought me into contact with a number of abolitionists. Following this, and in deference to extant scholarship and my existing understanding of the policy field, I sought out respondents I thought might promote an alternative, pro-sex work, framing. This, I imagined, would allow me to obtain phenomenal variation (in representations) and a more detailed understanding of promoted and contested narratives. Here, then, I quickly discovered two separate groups of policy-actors. Each group was comprised of actors who knew one another, identified one another as allies, and subsequently worked together. I had discovered the “non-trivial degree of coordinated action” (1988, p. 140) predicted by Sabatier. Furthermore, I was able to identify the boundaries of coalitions by tracing respondent claims regarding actors they actively *dissociated* themselves from. I was able, in brief, to discern two distinct coalitions both by identifying who worked with whom; and who was unwilling to work with whom. As intimated in Chapter One, I labelled the first ‘abolitionists’ and the second ‘pro-sex workers rights (PSWR) advocates’ – names which arose, primarily, from the prognostic frames around which groups clustered and their preferred terminology (particularly with regard to the latter).

To be clear, had I identified more than two coalitions by pursuing interviews with this array of respondents, I would have studied them. Whilst I had a pre-existing sense of the policy field, I was careful not to advance deductive frames in a way which excluded recognition of empirical deviations.

Access

Initially, it appeared as if access to policy-actors would be fairly straightforward. A significant number of the individuals/organisations identified in the process outlined above had email addresses published online – a benefit of studying public figures working within a public capacity. Contact details for all MPs can be found on the UK parliamentary website and many high-profile individuals have personal web-pages. Most departments, third-sector organisations and statutory bodies provide ‘enquiry’ email addresses. Of course, sourcing/using an email address does not necessarily guarantee a response. I estimate that I sent at least 100 separate emails to around 80 potential respondents; and of the 21 interviews performed, only around seven resulted *directly* from such correspondence. I quickly realised that email inboxes were, for many, an endless abyss into which things fell and became invisible. Furthermore, I quickly became aware that I was inadvertently negotiating with a variety of intermediaries, who were tasked with deciding whether or not to alert their employer (my potential respondent) to my correspondence.

After struggling with these challenges for a short period, I decided to change tact. Innovation came in many forms. I moved to London for four months to enhance my ability to attend face to face meetings at short notice. I asked for referrals from interviewees (as discussed above). I began calling some organisations incessantly. I appeared at events I believed respondents might attend, and approached them when given the opportunity. I started handwriting cards. I took to Twitter. I found ‘tweeting’ to be a fairly fruitful recruitment tool – when deployed strategically. I imagined Twitter notifications would likely disappear as quickly as emails in an overflowing inbox and, to counteract this, took to waiting until a potential respondent published a ‘tweet’. At this juncture, I would send a pre-prepared approach in the hopes that this synchronicity would improve the likelihood of a response. And it did. I was a little constrained by how

few characters a 'tweet' allowed (140) and would, therefore, dispense with the usual formalities - sending a brief message and a link to my University profile. I did ponder, for some time prior to employing 'tweets', whether approaching respondents in such a public way was ethical. From a contractarian perspective, it could be argued that I did not owe potential respondents the cover of confidentiality *prior* to negotiations regarding their involvement in my research (Ells, 2003; Miriam, 2005). But, as discussed below, I did not assume a contractarian perspective. After contemplation, I concluded that it would be odd to frame approaching a public figure via a public forum as, in and of itself, ethically questionable. With that said, I did feel that any post-hoc agreement of anonymity might be undermined by publically available records of preliminary conversations. I therefore took to deleting all relevant tweets once they had served their purpose. It seemed *highly improbable* that an interested onlooker would have the foresight to screen-grab an interaction, later compare it to claims made by an anonymised respondent (published in a PhD thesis), and breach confidentiality accordingly. In the end, however, this was a moot point: all respondents contacted via twitter asked to be referred to by name.

In practical terms, it was easiest to obtain interviews from third-sector workers – particularly those employed by VAWG organisations. This was mostly because I had a powerful gatekeeper, and because the community was interpersonally close-knit/geographically clustered (e.g. London). I was also able to develop something of an 'insider' status - I supported a roughly abolitionist framing of prostitution and had disclosed this to my gatekeeper (when asked). Statutory and government workers were less accessible. I quickly discovered that many government departments (e.g. the Ministry of Justice) and statutory organisations (e.g. the Crown Prosecution Service) presented themselves as singular entities, rather than as collections of individuals. Materially, this meant it could be remarkably difficult to discover who, precisely, in the Department for Education, or National Crime Agency, was involved in the policy subsystem studied. Here, I was largely dependent on obtaining email addresses and names from third parties (e.g. respondents, gatekeepers).

Despite my successes and the fairly significant amount of time I dedicated to contacting potential respondents (10 months), I felt some disappointment regarding how few policy-actors I managed to involve in my work. Of the 100+ actors contacted, only 21 were interviewed. This may have been, in part, due to the politically tumultuous period over which I conducted my interviews: my field-work straddled the 2015 General Election. Prior to the election a number of respondents refused interviews, explaining that they were too busy with campaigning commitments. Furthermore, numerous people felt unable to contribute during the first few months of a new government – an apparently fraught time. For the most part, however, my attempts were thwarted by correspondence met with silence. I can only speculate, but I do wonder whether 'elite' groups – so frequently asked to comment - are rather less enamoured by the idea of involvement in PhD research than other social cohorts might be.

In any event, Table Three (below) lists the 21 respondents interviewed throughout the course of this research. Most respondents, following agreement, are referred to by name. Those who asked not to be named, are referred to in ways which somehow signal their organisational affiliations. I favoured such referents over pseudonyms as I wished to retain a sense of the phenomenological variation achieved. In addition, I was more interested in respondent positions within social/professional spaces, than with respondent identity per se. As such, I viewed labels which signalled positionality as desirable. With that said, *all* referents were negotiated and agreed with the respondents they refer to.

Table 3 Respondent names and organisational affiliations

Name/As Referred to In Research	Primary Sector	Allocated Advocacy Coalition	Organisational Affiliations	Purpose of Organisation
Alex Feis-Bryce	Third	PSWR	National Ugly Mugs (NUM)	NUM records reports of violent incidents from, and issues alerts to, people selling sex.
Cara Mitchell	Third	PSWR	English Collective of Prostitutes (ECP)	The ECP is an activist organisation which campaigns for the decriminalisation of prostitution and related issues.
Assistant Chief Constable Chris Armitt	Statutory	PSWR	Police, National Police Chiefs Council (NCCP)	The NCCP brings Assistant Chief Constables together in order to coordinate responses to national policing operations.
Fiona MacTaggart (MP)	Government	Abolitionist	Labour Party, House of Commons	The Labour Party is, at the time of writing, the opposition party in the House of Commons.
Gavin Shuker (MP)	Government	Abolitionist	Labour Party, House of Commons	As above.
Georgina Perry	Statutory	PSWR	Open Doors (NHS) and UK Network of Sex Work Projects UKNSWP	Open Doors is an advice and referral service, and clinic, for people working in prostitution. The UKNSWP is an association of agencies and individuals working with people in prostitution.
Heather Harvey	Third	Abolitionist	Eaves for Women	Eaves was a VAWG service provider and campaigning organisation, specialising in trafficking, prostitution and sexual violence. It was disbanded following budget cuts.

Right Honourable Jacqui Smith, Former Home Secretary	Government	Abolitionist	Labour Party, House of Commons	As above.
Jane Ayres	Statutory	PSWR	Praed Street Project (NHS)	A support service and sexual health clinic for women and transgender people working in prostitution.
Julie Bindel	Third	Abolitionist	Eaves for Women and Freelance Journalist	As above.
Laura Watson	Third	PSWR	English Collective of Prostitutes (ECP)	As above.
Professor Liz Kelly	Third	Abolitionist	End Violence against Women (EVAW) Coalition and London Metropolitan University	EVAW is a coalition of VAWG agencies, researchers, activists and related organisations/people.
Lord Jones of Cheltenham	Government	Abolitionist	Liberal Democrats, House of Lords	The Liberal Democrat Party is, at the time of writing, the third largest party within the House of Commons.
Philip Davies (MP)	Government	PSWR	Conservative Party, House of Commons	The Conservative Party is, at the time of writing, the majority party in the House of Commons and the Government.
Roz Hardie	Third Sector	Abolitionist	Object	An activist organisation which campaigns against the objectification and sexualisation of women.
Sarah Green	Third Sector	Abolitionist	End Violence against Women (EVAW) Coalition (formerly WNC)	As above

Scot-Pep Board Member	Third Sector	PSWR	Scot-Pep	Scot-Pep is an activist organisation which campaigns for the decriminalisation of prostitution in Scotland, the UK and globally.
VAWG Charity Officer	Third	Abolitionist	VAWG Charity	A campaigning organisation.
Academic	Statutory	Abolitionist	Police and University	N/A
Retired Civil Servant	Government	Abolitionist	Not Disclosed	N/A
Civil Servant	Government	Policy Broker	Home Office	The Home Office is a ministerial department with responsibilities for security, law and order.

Within the body of my work I begin by citing a respondent's full-name and title. Thereafter, I cite surnames only (where appropriate). For ease of access and reference, the above table is replicated in the final pages of this thesis (Appendix D).

Elites and Ethics

In this subsection I discuss the normative frames I applied to my respondents and the ethical obligations arising from such frames. I begin, here, by discussing the idea that my respondents formed part of a political 'elite'.

Richards suggests that 'elites' are:

“a group of individuals, who hold, or have held, a privileged position in society and....as far as a political scientist is concerned, are likely to have had more influence on political outcomes than general members of the public” (1996, p. 199)

Here, he appears to provide a fairly succinct definition of my respondents. Though the people I interviewed occupied a variety of positions, they had all been involved in activities designed to influence prostitution policy. Elite respondents, Richards argues, are distinct from other kinds of interviewees – they pose particular challenges, demanding that researchers adapt accordingly. Such challenges can include claims to deference, and power struggles within the interview space. Richards is not alone in these views. As Smith (2006) explains, some similarly inclined theorists argue that when interviewing elites, researchers may dispense with the rigorous ethical commitments afforded to other respondents. In turn, Smith (2006) takes issue with the concept of an 'elite'. She suggests that justifying a modified research practice by reference to binary categorisations (e.g. elite/non-elite, powerful/powerless) presents problems: doing so is both too simplistic, and too heavily premised on the contention that power conferred by a professional position is embodied and carried by respondents wherever they go (e.g. into the interview space). In turn, Smith calls for a more sophisticated and post-structural conception of power. She suggests, in summary, that power is

mobile and unstable, contextual and relational. “Perhaps” she posits, “we need to make room to consider the possibility of vulnerable elites” (2006, p. 650). I am sympathetic to this approach – largely because it reflects observations I made during my research, as well as a number of my intellectual/political commitments. In what follows, I briefly seek to develop Smith’s point by reference to the work of Fineman (2008; 2013) and Butler (2016).

As discussed in Chapter Two, Butler and Fineman frame vulnerability as a universal human attribute which makes every subject, no matter how powerful, susceptible to harm. The relative intensity of a subject’s vulnerability is understood to be mediated by their positionality within a complex web of social relationships. Some fortunate individuals are able to draw on their relationships (e.g. with institutions) to build resilience. Others, with less privilege, struggle to develop resilience and become (relatively speaking) more susceptible to harm. Ahmed (though not speaking to a vulnerability thesis directly) makes the point succinctly:

Privilege is a buffer zone, how much you have to fall back on when you lose something. Privilege does not mean we are invulnerable: things happen, shit happens. Privilege can however reduce the costs of vulnerability, so if things break down, if you break down, you are more likely to be looked after (2014 n.p.)

I would suggest that these arguments can be extrapolated and inscribed onto discussions of ‘elites’. This inscription would require that we frame elites as inherently vulnerable, albeit within a context of beneficial and power conferring relationships/positionalities. Subsequently, it would obligate a researcher to consider the potential ethical implications of visible and invisible dimensions of a respondents lived experience. A respondent’s intersecting characteristics (e.g. ethnicity, age) might disrupt or complicate privilege conferred by professional positionality. Accordingly, respondents would be conceived of as hybrid subjects: inherently vulnerable, partially privileged, wielding power; but also unknown and unknowable. This paradigm would, in turn, require that we apply ethically stringent practices to ‘elites’, whilst continuing to allow for a problematisation of their power, and its manifestations. This was the paradigm I embraced when conducting my research interviews, transcriptions, analysis and write up. Admittedly, it would be difficult to say whether I treated my relatively powerful respondents any differently than I would less powerful respondents, as I have – thus far – only ever dealt with the former. What I can say, however, is that I carefully considered my ethical responsibilities in light of what I have discussed.

In seeking to behave ethically, I turned my attention to available guidance. I looked first at guidelines published by the UK Data Archive (n.d.), an Economic and Social Research Council affiliated body into which I must offer to deposit generated data (subject to respondent consent). I then moved on to consider guidance published in conjunction with the National Centre for Research Methods (Crow, Wiles, Heath, & Charles, 2006; Wiles, Heath, Crow, & Charles, 2005). Both stressed the importance of obtaining informed consent, a process Crow and colleagues describe as a “central element of the ethical conduct of research” (Crow et al., 2006, p. 83). Obtaining informed consent, it is suggested, entails the provision of information regarding one’s research – information ample enough to render a potential respondent adequately ‘informed’. If respondents are informed, it is implied, then the choice to enter into an agreement can be conceived of as truly ‘voluntary’. I was immediately perplexed and concerned by these suggestions. How much information constitutes adequate enough information? And what of information I could not provide? Could respondents be labelled truly ‘informed’ if they were told that - after depositing their data into an archive - I could not prophesy how it would be used? And what, precisely, did voluntary mean? Grudgingly willing or enthusiastically desirous? Indeed, after studying theories of subjecthood (Chapter Two), I had

begun to wonder whether the influential, perhaps deterministic, role of social immersion barred anyone from ever acting in a purely voluntary fashion. And what did consent, once given, entitle me to do? If respondents believed I might be inclined to aggressively condemn and demean them, and consented anyway, were my ethical obligations *not* to do that discharged? I hoped not. And what if I decided to protect them from negative consequences (e.g. by not exploiting an inflammatory point), even though they did not desire that protection, even though they stood by their polemic – was I violating their consent?

I am no means the first feminist researcher to experience these concerns. To illustrate, O’Connell Davidson (2008) expresses unease regarding the necessary temporality of research consent – an impermanency which cannot be honoured once the objectifying processes of research publication and dissemination have taken place. Furthermore, Ells (2003) problematizes ‘informed consent’ within the context of medical care – using Foucauldian conceptions of a subject formed through power relations, to disrupt the notion of the ‘voluntary’ patient. Building on such observations, Ells identifies narratives of informed consent as grounded within the liberal contractarian model of relationships/ethics. As intimated in my literature review, a liberal contractarian perspective holds that when two or more entirely autonomous and capable adults rationally assess available information and, following a cost-benefit analysis, decide to enter into a contractual relationship – that contract is legitimate and binding. Here, the notion of an inviolable autonomy is given moral weight and any move to undermine such autonomy is conceived of as ‘insulting’/improper (Ells, 2003; Tadros, 2011). As already discussed in Chapter Two, liberal contractarianism exists in tension with much feminist scholarship (see Driscoll & Krook, 2012; Pateman, 1988). After considering these difficulties and critiques, I elected to view ‘informed consent’ as a necessary but partial ethical obligation. Building on this, and through reflection, I made research decisions by reference to a normative framework of integrity, honesty, kindness and accountability.

For the most part, I have found the application of this framework straightforward. One thing I have struggled with, however, has been balancing my commitment to kindness with the pursuit of my academic aims. To disagree, to critique – particularly in writing – can seem derisive. I have, throughout the course of this thesis, lost sleep worrying that I might inadvertently hurt someone’s feelings; a sensitivity I foster alongside a contradictory tendency to become sharp, perhaps too critical, when discussing politically emotive matters. I try to be fair, to criticise positions not people, to counter fierceness with moderation, to stress my political complicity and disrupt the simplicity of judgments. I try to tread the fine line between compassion and critique, and worry that – in so doing – I do a disservice to both. I imagine my success in this regard will be measured by how my respondents receive my work – a prospect which provokes anxiety.

Practicalities

Interviews took place in a variety of locations. Six took place in a café, three in Portcullis House (the office building used by many MPs and their staff), one in the House of Lords Tea Room, five in respondent work places, two in respondent homes and two (a joint interview) in a women’s centre garden. I had tried to avoid using Skype as I struggle to build rapport whilst battling my computer, but after rupturing a tendon in my foot – and discovering that the London tube-network was not designed for a woman on crutches – I was forced to accept my limitations. Two more interviews, therefore, were performed remotely, e.g. Skype and telephone. Respondents were presented with an information sheet and consent form prior to being interviewed. The former was sent via email as early as possible, the latter was delivered in person. Both documents were designed by me, in adherence with the guidance discussed above (Crow et al., 2006; Wiles et al., 2005), and related academic literature (Ridpath, Wiese, & Greene, 2009). See Appendices A and B for copies of each. The contents of both documents were discussed with respondents, and – where necessary

– elaborated. Five interviewees specified a desire to read (and potentially amend) their transcripts prior to their use in research products. I have since honoured these requests, and have encountered no difficulties in doing so. Whilst some respondents did choose to redact, they removed sentences I had already decided not to use – on the grounds that they were more inflammatory than informative, and that their use would do little probative work, and /or breach my personal code of ethics.

Interviews were (as specified on the consent form) recorded. I used two recording devices, to avoid unnecessary data loss. Both devices were kept in plain sight - directly in front of the participant - to provide a visual reminder that they continued to exist. On occasion, respondents asked me to turn my devices off whilst they took a phone call, or discussed something they did not want recorded. I always obliged. Recordings will be destroyed once my thesis is complete. Early on in the research process, I referred to a pre-prepared aide memoire (Appendix-C), but quickly dispensed with it after becoming sufficiently familiar with its content. This aide memoire did not contain a series of specific questions I asked of every respondent, rather it listed a variety of ‘main questions’ covering key areas. These were designed by reference to my ‘intellectual puzzle’ (Mason, 2002), the documents selected for analysis (Bowen, 2009) and relevant academic literature (Richards, 1996). As advised by Mason (2002), and Rubin and Rubin (2011), after posing a ‘main question’ I would ask probing follow-ups, tailored to the specifics of whatever had been said. More often than not I would tailor interview questions to the specialist area/interests of specific interviewees (Fontana & Frey, 2000).

Interviews ranged from 30 minutes to four hours long. Some respondents were verbose, open, and prone to thorough exploration of both my questions and their own tangential meditations. Others were closed, short and to the point. Variance seemed largely attributable to respondent idiosyncrasies, though occasionally the emotional ‘atmosphere’ permeating an interview space appeared determinative. Most respondents were friendly, welcoming and appeared pleased to be involved. A handful were clearly nervous of my motives, my politics: at times I sensed some hostility/distrust. This was to be expected: prostitution debates are contentious (see Chapter Two), personal attacks are common (see Chapter Eleven), and I was an unknown entity. Notably, I did not hold my politics out for examination – I did not lie, or withhold when probed, but I did omit to say. This made me feel a little uncomfortable – as if I were engaged in a duplicitous commission by omission. That by saying nothing at all, I was lying. But I was also conscious that aggressively volunteering information might shut down multiple avenues of inquiry, and potentially undermine the quality of my work. In the end, I concluded that if anyone really wanted to know my position, they could. I was prepared to answer fully and truthfully if directly queried. In practice, only two respondents asked me about my position on prostitution. One did so before our interview, and the other did so after our interview had concluded. Both were abolitionists. I answered honestly and openly on both occasions.

In this section I have discussed the manner in which I approached respondent selection, and interviews - exploring theoretical, ethical and practical perspectives. I began by discussing how I used ACF to operationalise the term ‘policy-actor’ and how I applied this operationalisation to the field of study. I then moved on to discuss how I accessed respondents, before exploring the normative frame through which I viewed such them and the ethical obligations these frames incurred. Finally, I explored the practicalities of my research interviews. This section forms part of a wider exploration of the methods I deployed during my research process – building on my discussions of documentary analysis. In what follows, I move on to discuss how I approached, and performed, the analytical stages of my research.

5.2 Analysis

In Chapter Four, I outlined the interpretive framework informing my analytical approach to data. Here, I address analysis in an applied sense – outlining the various practicalities of transcription, code generation, and writing up.

I generated verbatim transcripts from available recordings - this was a tedious task. I felt it was necessitated, however, by my interest in the complexities of narratives, and my intention to deploy critical discourse analysis (CDA). Braun & Clarke (2006) suggest that a verbatim transcript should be viewed as essential for any form of discourse analysis. My transcripts did not, however, include non-verbal cues such as hesitations, or non-words (for the most part). I excluded such instances as I did not believe my analytical approach would require a record of them: I was not analysing speaking styles. Though I found transcribing unpleasant, I will admit that in slowly and carefully listening to my interviews, I found time to contemplate possible findings before embarking upon a systematic analysis (Braun & Clarke, 2006). Following this lengthy endeavour, transcripts (and selected policy-documents) were uploaded to the qualitative analysis software ‘QSR NVivo 10’.

In generating codes, I was guided by the tenets of thematic analysis – insofar as I identified explicit and latent ideas, concepts and thematic trends (Braun & Clarke, 2006). The creation and application of codes was a lengthy and iterative process (Braun & Clarke, 2006; Richards & Morse, 2012). I began with a first reading of all texts. I noted thoughts and impressions in an unsystematic fashion. I then moved on to a second reading, at which stage I began to handwrite codes I felt might capture meaningful findings. Codes were generated both deductively and inductively (Gerring & Yesnowitz, 2006) - informed by academic literature (see Bourdieu, 2001; Fineman, 2008; Meyers, 2014), previous experiences and understandings, and my interpretations of the transcripts/documents themselves. This process generated a significant number of quite specific codes - so following initial generation, I began to group similar codes together to create more abstracted master codes. Once this stage was complete, I selected a range of documents, and practiced coding using my newly generated code-book. I found some codes to be too specific – and so sought to widen them, or subsume them beneath a similar code. I also created a few more codes for data not captured by my pre-existing efforts. Codes were uploaded to and applied with NVivo. If a piece of data was representative of more than one theme, it was coded as many times as necessary. Subsequently, in the body of my thesis, the same piece of data *very occasionally* appears twice – in order to illustrate two distinct analytical points. In any event, if at this stage of analysis, I encountered an important piece of data which could not be easily captured in pre-existing codes – I placed it in an interesting/notable code. Fortunately, this did not happen frequently: only 17 excerpts were recorded as such. Initially, I had imagined that I would treat all texts (be they written or spoken) as equal items in the data corpus (Fairclough, 2010) – that I would generate all codes from, and apply all codes to, each transcript/document. In the end, I changed my approach as I felt that the overall content of the interviews differed significantly enough from the documents to legitimate separate code-books. With that said the *process* I deployed was identical across both source types.

I generated significantly more data, and more codes, than I am able to speak to in this thesis. One of the drawbacks of a thematic approach is that it multiplies one’s findings. If one excerpt spoke to four different themes, it quadrupled in size. I was therefore forced to be selective with regard to what I explored. As such, in what follows, I discuss findings I felt were the most elucidating, or most compelling, with respect to my research questions. In my selectiveness, however, I felt it integral to consider the ethical implications of

representativeness - by choosing to cover some issues and not others, I found that I was only partially representing the data generated by some respondents. I therefore resolved to do my utmost to honour the main thrust of each respondent's position – even if it meant disrupting the linearity of my narrative. Furthermore, in what follows, and where possible and appropriate, I indicate how many respondents appeared to promote a specific framing. Whilst this only provides a very rough indication of how pervasive or dominant a representation was, it nonetheless offers some sense of the data corpus more holistically – somewhat countering the effects of data disaggregation.

5.3 Conclusion

This chapter has explored the multi-method qualitative approach deployed in pursuit of this research project. It has discussed the way seven policy-documents and 21 semi-structured qualitative interviews were selected, sampled, accessed and approached – practically and analytically. It concluded by discussing analysis in an applied sense – exploring the manner in which codes were generated and used. In the following three Parts of this thesis, I commence a thorough and critical discussion of findings.

PART THREE – FINDINGS: PROSTITUTION, THE SUBJECT AND SOCIETY

In Part One, I explored the bodies of scholarship from which this thesis draws, and to which it contributes. I discussed: the history of English prostitution and violence against women and girls (VAWG) policies; feminist prostitution debates; dominant and critical theories of selfhood; and definitions and theories of violence. In Part Two, I outlined the methodological theories which informed my research design, and the practicalities of research implementation. In this part, I begin discussing my findings. I present my analysis of the *four prostitution policies* identified in the previous chapter, as well as salient data generated with all interviewed respondents. In doing, I explore how policy-actors and documents discursively constructed the ‘subject’ of prostitution. Whilst I concentrate my attentions on representations of women who sell sex; I briefly explore framings of men who buy sex.

My reasons for focusing on representations of the ‘subject’ are threefold. First, as discussed in Chapter Two, discussions of subjecthood have long informed academic debate regarding the sale and purchase of sex (see Meyers, 2014; Miriam, 2005; Scoular, 2004). Second, and as similarly intimated in Chapter Two, normative constructs of the individuated and responsible subject inform much (neo)liberal discourse (see Baker, 2008; Butler, 2016; Scott, 2011). Here, then, I aim to understand policy representations by reference to extant scholarship and discourses and, in so doing, trace the illuminating dialectical relationships described by critical discourse analysis (CDA). I highlight areas of consistency and consensus, whilst highlighting sites of disruption and contradiction; and explore to what degree, (if any) localised representations appeared to draw from macro-discourses. This, in turn, allows me to understand the ideological tendencies of the policy subsystem, and advocacy coalitions, studied. Thirdly, discussions of subjecthood played a central role in generated data. This was at least partially due to the nature of my questioning (See Appendix C), but also appeared to be the consequence of respondent interests. Certainly, the materially immutable policy documents show a fixation on certain conceptions of subjecthood. As such, attending to this matter allows for a discussion of important facets of English prostitution policy discourses.

In Chapter Six, I explore how policy-actors and documents represented the concept of ‘vulnerability’, as it pertained to women who sold sex. As discussed in Chapter Two, the term ‘vulnerability’ appears frequently within various relevant prostitution policies – a deployment which has drawn criticism within the academic community (Munro & Scoular, 2012). Here, I explore the work performed by the term ‘vulnerability’ - using critical theories of the concept (Butler, 2016; Fineman, 2008) as an evaluative framework. In Chapter Seven, I discuss matters of individual subjectivity and choice. I explore: to what degree epistemic primacy was bestowed upon the lived experiences of women who sold sex; what role socialisation (if any) was understood to play; and how policy-actors and documents conceived of ‘choice’. Here I complicate pre-existing narratives regarding feminist debates on prostitution, and demonstrate that disagreements between ostensibly feminist coalitions are premised less on fundamental conceptions of the subject/her choices, and more on what political credence these conceptions should be afforded. Finally, in Chapter Eight, I discuss how respondents and documents framed gender, as it pertained to prostitution. As discussed in Chapter Two, abolitionist feminists have tended to place significant emphasis on gender and gender relations, whilst PSWR scholars have exhibited a more ambivalent relationship with the concept. Here, in order to address the issue in some fullness, I explore representations of women who sell, and men who buy, sex.

Before I begin, I wish to pause and consider an important caveat offered by numerous respondents, before they were willing to discuss the subjecthood of women who sold sex. In brief, respondents from both coalitions sought to qualify their responses by representing women who sold sex as a heterogeneous population, which could not be straightforwardly described. This position was often expressed in general terms:

“I do not think it is wise to blanket everyone under the same banner”

Philip Davies MP, PSWR

“There is great intention to sort of lump sex-workers as one group and I think that the answer to that is that the group is hugely diverse and varied”

Jane Ayres, PSWR

“In our samples we had girls who had started at 13 and 14 and we had women who were doing it at 62 and we had women who were highly educated students.... And then the majority we had in our cases were people who had got into it through some form of neglect or abuse”

Heather Harvey, Abolitionist

“There are things that we cannot ignore about women in particular aspects of the sex trade, whether that is a history of care, neglect or abuse in childhood.... But I have met too many middle class girls and women from so called respectable Enid Blyton type homes that have ended up in the sex trade to think that we can cordon women off in that way.”

Bindel, Abolitionist

Here, respondents (consciously or otherwise) distanced themselves from totalizing prostitution discourses very often subject to critique (see Agustin, 2001; Comte, 2013; Kapur, 2002; O'Neill, 2010). This is a particularly important observation of abolitionist policy-actors, as it is this community of thinkers who have most frequently been accused of essentialism (see Agustin, 2001; Weitzer, 2010). In turn, policy-actors promoted a more particularised representation of the community of women who sold sex.

Representations of women in prostitution as a heterogeneous group were also frequently made by reference to different forms of prostitution believed to carry different types/degrees of challenge. Distinctions were drawn between off and on-street prostitution, as well as between different manifestations of off-street prostitution (e.g escorting and working from a flat). Notably, spatial distinctions were most frequently relied upon by members of the PSWR coalition:

“There is definitely difference between the levels of vulnerability between on street and off street and massage parlours, because on street sex workers tend to be already vulnerable through lifestyle choices or lifestyle experience”

Assistant Chief Constable Chris Armitt, PSWR

“So the people that I have met in the sex industry who are earning good money and have more autonomy because they are able to work safely and well and in their own home and they are not fearful, by and large, of the police....they are less vulnerable but still made vulnerable by structure whereas the people at the lower, the bottom edge of the wedge – who are driven because of itinerancy and migrancy, poverty and addictions and homelessness.... the very reason that they need the money make them more vulnerable in the first place”

Georgina Perry, PSWR

“So you know most of our sex-workers²⁹, most of that sector have completely different needs to street sex workers”

Alex Feis-Bryce, PSWR

I would suggest that the maintenance of an on/off-street binary contributes to the legitimating frame promoted by PSWR policy-actors. Prostitution as a phenomenon is legitimated by effectively separating off forms of sex selling which involve the most significant degrees of violence, harm and social/political/economic disadvantage (see Harding & Hamilton, 2008). By framing on-street prostitution as distinct from off-street prostitution, the latter is absolved of the difficulties of the former. Arguments in favour of legalisation are, subsequently, strengthened. I do not deny that material differences exist between different spaces of sex selling, but rather wish to highlight the framing exercises at play here: distinctions are emphasised, similarities are underplayed, and discourses which privilege some ‘truths’ are promoted by silencing others (Bacchi, 2012).

For the most part, however, invocations of heterogeneity were made to avoid/reject absolutisms, and to introduce some level of subtlety into interview discussions. This is perhaps made most evident by the fact that such invocations were never provoked by a question regarding the relative homogeneity/diversity of women selling sex. Rather they were spontaneous efforts to disrupt the seemingly homogenising assumptions underpinning a line of inquiry:

“Rebecca Hewer: Do you think that people who are involved in prostitution are accepting these myths and stereotypes about themselves and that that somehow influences their choice?

Roz Hardie, Abolitionist: I cannot speak on behalf them. I do not think it is a homogenous group.”

In any event, this wide-spread emphasis on heterogeneity evidences a commonly held belief that prostitution is, at least in part, a multifaceted phenomenon implicating a range of differently positioned subjects. I highlight this observation, here, for two reasons. First, it provides some insight into how complex much of my interview data was: though respondents could be prevailed upon to express steadfast convictions, they seldom spoke without introducing at least some nuance into their treatment of the topic. In turn, all subsequent discussions of data should be read with this contextualisation in mind. Second, it evidences a general (though not necessarily consistent) belief that explanations/problematisations of prostitution should not be entirely premised on commonalities in (lived) experience. This is a topic I expose to some scrutiny in the chapters to come.

²⁹ Feis-Bryce runs a frontline service for people selling sex. Here, he is referring to individuals who use his service.

Chapter Six - Prostitution and Vulnerability

This chapter explores the way policy-actors and documents interpreted and represented the concept of vulnerability, as they felt it pertained to women who sold sex. As discussed, the concept of vulnerability is compelling both because it has drawn much academic attention (Butler, 2014, 2016; Fineman, 2008; Fineman & Gear, 2013; Philo, 2005) and because it is routinely invoked in Westminster policy efforts (Brown, 2014), including prostitution policy (FitzGerald & Munro, 2012; Munro & Scoular, 2012). In the latter half of Chapter Two, I highlighted and explored the work of vulnerability theorists Fineman (2008) and Butler (2016). Thereafter, I reiterated her thesis when framing, and explaining, my interviewees. Here, to avoid unnecessary repetition, I refrain from offering an abstracted narrative and rather highlight salient features of Fineman's work - and the work of her contemporaries (see Butler, 2016; Philo, 2005) - as they become relevant to discussions of my findings. In so doing, I hope to use these academic narratives as evaluative schema to contextualise and elucidate the regressive/progressive features of policy representations.

I begin this chapter by discussing the way the four policy documents discursively constructed 'vulnerability'. In turn, I draw two inferences: first, that there is a lack of definitional clarity with regard to how the term is used in these documents; and second, that, despite this ambiguity, evidence suggests deployments reflect (neo)-liberal³⁰ macro-discourses. With regard to the latter observation, I heed Bacchi's (2012) advice and explore that which is, and is not, said - finding meaning in both problem representations and silences. More substantively, I draw from, and affirm, the work of Munro and Scoular (2012) who have similarly explored representations of vulnerability in Westminster prostitution policy. Specifically, I reiterate their contention that deployments of vulnerability within prostitution policy suffer from a "structural blind-spot" (2012, p. 190).

Following my documentary analysis, I discuss respondent conceptualisations of vulnerability. Here I present localised narratives, and explore how they relate to ideological macro-discourses, including feminist understandings of prostitution more broadly. Finally, I draw the various strands contributing to this chapter together and offer a final conclusion. In summary, I suggest that - within the policy subsystem under study - 'vulnerability' has become a contested term and a 'floating' signifier (Payne, 2012; Worsham & Olson, 1999). That is, it is a surface inscription of signification beneath which a variety of sometimes contradictory representations, problematisations and narratives are organised. In turn, I suggest that 'vulnerability' performs important work for the prostitution policy subsystem, insofar as it provides a meeting place for hegemonic struggle.

Before I begin, I wish to explain how I have chosen to present my findings. The lack of definitional clarity surrounding the term 'vulnerability' results in many and varied interpretations and representations. It is therefore helpful to utilise a model which allows for methodical disaggregation and presentation of data. Here I favour Heise's (1998) socio-ecological model (SEM) of causality, as discussed and depicted in section 3.5.4, Chapter Three. Though Heise promotes her model of nested systems as a way to integrate distinct narratives of violence, the organising principles behind her framework present broader theoretical opportunities. Here they allow me to systematically present an array of findings regarding constructions of

³⁰ There are areas of discursive overlap between liberalism/neoliberalism, and whilst aspects of the policy documents studied in subsequent chapters are clearly neoliberal in nature, those studied here are more ideologically ambivalent.

vulnerability, in a way which speaks to the dialectic relationships such findings might have with macro-level ideological discourses. Indeed, many of the ideological narratives of interest in this thesis (e.g. neoliberalism/much feminism) differ with regard to how much emphasis they place on the causal impact of different system levels. To illustrate, an *individualised* conception of vulnerability might speak to neoliberal conceptions of subjecthood, whilst a more *societal* interpretation might relate to the central tenets of some feminist ideological precepts (see Chapter Two for an explanation of both).

6.1 Documentary Analysis

The recurrent invocation of ‘vulnerability’ is a striking characteristic of all four policy documents studied – most notably, *Paying the Price* and *Tackling Demand*. Both policies contain explicit statements indicating the centrality of the term: *Paying the Price* claims that: “vulnerability is the key” (p.31), whilst *Tackling Demand* opens with the suggestion that, “those who sell sex.... are often vulnerable to abuse, coercion or control by others, who gain from their involvement” (p.2). Despite this apparent centrality, however, not one of the four policies analysed provides clarification regarding what precisely is believed to constitute vulnerability, or how it is believed to function (Munro & Scoular, 2012). Instead, vulnerability becomes a word used interchangeably to signify a designation or label; describe a state existing relationally with various external stimuli; or problematize external stimuli in and of themselves.

To illustrate, the vulnerable are frequently represented as a seemingly distinct and marginal class: *The Review* claims that, “vulnerable people may be subject to coercion or exploitation, or may be groomed into prostitution” (p.32), whilst the *Coordinated Strategy* suggests that “off-street prostitution... involves some of the most vulnerable members of our community” (p.11). At other times, otherwise unclassified subjects appear to be *made* vulnerable by exogenous factors. To illustrate, *Paying the Price* suggests that prostitution should be prevented by “alleviating the circumstances which make young people vulnerable to exploitation and coercion” (p.7) and goes on to argue that young women from “vulnerable backgrounds” (p.43) are more likely to suffer an unwanted pregnancy. Occasionally, specific experiences associated with the illicit sex trade are represented as vulnerability forming. *Tackling Demand* claims that the government should introduce an offence criminalising buyers “in order to protect vulnerable individuals.... those who have been trafficked or exploited by any other means” (p.4). Furthermore, it is sporadically suggested that there are different typologies of vulnerability: *Paying the Price* cites emotional and economic vulnerability as two possible examples (p.31), whilst *The Review* advises that we remain cognizant of multiple vulnerability factors (p.30) (though whether such factors are understood as external or embodied remains unclear).

There is also evidence to suggest that different understandings of vulnerability are entertained by distinct bodies/actors. This is an observation perhaps best supported by the *Coordinated Strategy*’s treatment of homelessness and the criminal justice system. Here, it appears that definitions of the term differ between different legislative areas, as well as between legislation and more informal policy spaces. For example, it is suggested that “being involved in prostitution does not mean that an individual automatically meets the vulnerability criteria” (p.48) required to be declared statutorily homeless. Rather, it is explained, potential claimants must evidence the existence of more strictly delineated needs/experiences, e.g. mental ill health. Similarly, the policy resists a respondent suggestion that all adults be treated as vulnerable when giving testimony in a case pertaining to their prostitution, explaining that such designations are made with regard to evidentiary requirements (p.54). Both of these statements appear to contradict looser deployments of the term, whilst the latter arguably evidences disagreement between a Westminster government and respondents to its policy consultations. When drawn together with the observations made in the previous

paragraph, it would appear – as previously intimated - that there is limited definitional clarity/consensus regarding the concept of vulnerability.

With that said, there are strong indications that the term is not used – within policy documents - in ways commensurate with the progressive dimensions of Fineman’s vulnerability thesis. For instance, by appearing to frame vulnerability as a distinct quality of marginal groups relevant policies seem to reject a more universal understanding of the term. Fineman explicitly admonishes policy efforts which use the concept of vulnerability to “define groups of fledgling or stigmatized subjects” or which associate the term “with victimhood, deprivation, dependency, or pathology” (2008, p. 8). Not only are marginalising representations stigmatizing, she suggests, they legitimise post-hoc state remedies which fail to redress how institutional landscapes structure and distribute vulnerabilities. Relatedly, and as Munro and Scoular (2012) argue, there is clear *structural blind-spot* within related policy articulations. Either vulnerability is represented as a pathological (individual/microsystemic) state, consequent to interpersonal relationships (mesosystems) or related to the sex industry (community/exosystemic). *The Review* explores how prostitution and domestic abuse might compound one another and, in turn, vulnerability (p.20). Similarly, *Tackling Demand* repeatedly stresses that women are made vulnerable by exposure to coercive and violent behaviour, claiming, for instance, that “many women, working both on and off street, are subject to coercion, control and exploitation” and that “they are... amongst the most vulnerable to sexual and violent crime, facing dangers on a daily basis” (p6). What is curious, however, is that there is relative silence regarding macrosystems. At no time do any of the policies appear to represent micro or mesosystemic factors as nested within higher order systems – there is no consideration, for instance, of how interpersonal violence might be causally related to social narratives/conditions (e.g. gender inequality).

Building on this, there is limited evidence to indicate that vulnerabilities attributed to contexts other than interpersonal violence are understood structurally/institutionally. For instance, whilst *Paying the Price* claims that ‘economic’ issues may make people vulnerable to prostitution, it is debt rather than poverty which receives the policy’s attention (p.31). Word choice like this is ideologically laden, privileging micro-level causality over more macro explanations: problematizing personal debt explains material precarity by reference to poor financial management, rather than, say, the way the state/market organises and sustains low incomes, the feminization of poverty, unstable or unsustainable working arrangements and paltry, conditional welfare benefits (Simon-Kumar, 2011). Similarly, *Tackling Demand* suggests that pimps have been known to exploit a woman’s need for housing in pursuit of his aims, claiming that, “control can and does take the form of a range of exploitative practices such as... the provision of accommodation... solely on the condition of being a prostitute” (p.8). Nothing is said, however, of how unstable or prohibitively expensive housing provision might contribute to this state of affairs (Pierson, 1995). Here, then, the problem is represented as one of predators (Phoenix, 2005), rather than inadequate state intervention.

The alternative possible framings I have highlighted, indicate spaces of potentially telling silence. By privileging some representations and silencing others, disadvantage is pathologised, or framed as the consequence of interpersonally mediated victimhood; whilst the institutional/social relationships which contextualise debt, homelessness and predatory men are invisibilised. In turn, I would suggest, in concert with Munro and Scoular, that such constructions may draw from, and contribute to, (neo)-liberal macro-discourses regarding the nature of selfhood and causality. As discussed in Chapter Two, (neo)-liberalism represents the subject as atomistic and isolated, and therefore as largely unaffected by social forces. This is a matter I discuss more in section 6.3. In any event, deployments evidence that vulnerability is deployed in ways incommensurate with Fineman’s rendering. Fineman explicitly frames her vulnerability thesis as a

panacea to the failings of liberalism and, whilst her relationship with the social narratives/conditions potentially contextualising interpersonal violence remain somewhat ambivalent (in that she focuses primarily on the state per se), her opinion on matters of state policy are clear. She suggests, in short, that vulnerability be deployed to obligate the state to take action in the face of its subject's needs, and not in a way which reinforces (neo)-liberal conceptions of personal responsibility/victimhood. Thus, in representing vulnerability as a consequence of individual level factors, whilst failing to implicate state (in)-action, policies diverge from the more progressive elements of Fineman's thesis.

6.2 Interviews

Thus far, I have explored findings generated through an analysis of policy documents – concluding that such policies favoured an individualising interpretation of 'vulnerability', whilst remaining silent on matters of structural causality. In what follows, I explore the way respondents – people frequently involved in the formation of Westminster prostitution policy - represented the concept. Three things will become apparent: first, that a large proportion of respondents entertained a somewhat ambivalent relationship with the concept of vulnerability - for whilst a significant number of interviewees (from both advocacy coalitions) expressed discontent with the term, all showed a tendency and willingness to use it; second, that though a broad acceptance of the term 'vulnerability' may indicate a consensus of sorts, any such consensus is superficial at best; and third, that respondents tended to support employment of 'vulnerability' to explain prostitution, so long it was used in accordance with the ideological tenets of a desired political agenda.

In what follows, I begin by discussing respondent discontent with the concept of vulnerability. An exploration of discontent is meaningful for myriad reasons, not least as in describing what we do not like we very often reveal what we would embrace. After considering these matters, I go on to richly populate the narratives preferred by different respondents, disaggregating data in accordance with Heise's SEM.

6.2.1 Discontent with the Concept

A fairly significant number of respondents (n=7/21), from both advocacy coalitions, expressed varying degrees of discontent regarding the concept of vulnerability. Many were, in the first instance, cognizant and critical of its deployment in relevant policies, sceptical of its political utility and concerned about its regressive potential. With that said, there was limited consensus regarding what, precisely, rendered the term problematic. Here, as will become apparent, partisan ruptures began to show. To illustrate, some abolitionists echoed the analysis I offer above, arguing that deployments of the term insufficiently problematized structures.

"They don't use a feminist analysis and it is not about accepting the structural disadvantage that women suffer from it is about focusing on women's vulnerability"

Senior Civil Servant (Retired), Abolitionist

"I don't like the way in which the concept of vulnerability has in fact replaced all concepts around structural inequality. So basically, what it means is that there might be class issues, there might be race issues, there might be disability issues, you know. And those never get spoken about in that way, those just become vulnerability"

Professor Liz Kelly, Abolitionist

Here both respondents critiqued vulnerability's deployment within Westminster policy documents—expressing concern regarding the terms use in place of more critical engagements with macrosystemic trends. Arguably, such critiques evidence a belief in the favourability of a structural analysis. Moving on,

both abolitionist and PSWR respondents expressed concern regarding ‘vulnerability’s’ association with narratives of femininity:

“We tend to attach the word vulnerability to women in the sex industry and not men in the sex industry – which always really fascinates me”

Perry, PSWR

“The vulnerability discourse is much more attractive particularly to this government, partly because it plays into the stereotype and cultural meme of women”

Senior Civil Servant (Retired), Abolitionist

Here respondents echoed critiques made by many feminist academics regarding the term vulnerability, as cited in Chapter Two (Butler, 2014; Munro & Scoular, 2012). In so doing, they expressed concern regarding vulnerability’s relationship with antecedent and contemporary gender ideologies, which rely on regressively essentialising representations of women as fragile and weak (Bourdieu, 2001). Relatedly, one abolitionist voiced unease regarding the way deployments of vulnerability contributed to processes of victim blaming:

“Often it is used as way that is actually just victim blaming – you know, you are doing something or behaving in a certain way that makes you vulnerable, you are putting yourself at risk. Well you wouldn’t be at risk if there wasn’t someone there to exploit that or to take advantage of that or who actually wanted to be violent to you. So I find the whole vulnerable thing a phrase which detracts from the responsibility of the perpetrator”

Harvey, Abolitionist

Here, I would suggest, Harvey draws on feminist critiques of gender ideology – critiques which have long informed academic/activist engagements with masculine approaches to violence (see Chapter Three). In short, Harvey appears to reiterate the broader feminist contention that masculinist discourses are frequently used to frame women as responsible for their own victimization and, consequently, divert attention away from the violent and oppressive behaviour of men (see Kelly, 1988; Miriam, 2005; Morgan & Björkert, 2006). In turn, such framings create the sense that women can pro-actively guard against attack (e.g. through dress), whilst leaving male privilege intact. Furthermore, I would argue that both this excerpt - and the two proceeding it - echo concerns expressed regarding the way certain significations individualise/pathologise vulnerability, e.g. by making it an attribute of an individual’s inherent being/decision-making, rather than a state consequential to a relationship.

Moving on, two PSWR coalition members and one abolitionist expressed the belief that the concept of vulnerability worked to disempower women involved in prostitution:

“I think the problem with the over use of the word vulnerability – and it is overused – is that it does disempower people in the sex industry, particularly women...”

Perry, PSWR

“And I do think that it is disempowering to describe anyone as vulnerable just as a label because I think we all have vulnerabilities, but I would never be described as a vulnerable person”

Feis-Bryce, PSWR

“The use of the word vulnerability is a bit problematic, like the term victim, victim of sexual violence - does that accurately reflect the victimization or does that imply that there is nothing left of you? And it can sound quite patronizing...”

Hardie, Abolitionist

These excerpts can be read in at least two ways. Respondents might feel that, in representing women who sell sex as vulnerable, we hold up an interpretative lens of disempowerment – a lens which demands we construe all such women accordingly. Alternatively, we could infer that narratives of vulnerability are conceived as working *on* the subject herself – either insofar as they are believed to be formative in the construction of subjectivities (Bacchi, 2005; Smart, 1990), or insofar as interventions legitimised by such framings delimit individual power. What appears more straightforwardly evident is that these respondents valued empowerment to some degree, perhaps indicating a commitment to the promotion of agency. Here, as before, respondents appear to be drawing on broader feminist debates regarding prostitution – contributions to which problematize interpretations accused of framing subjects as lacking the autonomous ability to exert power over their own lives (Brooks-Gordon, 2010; Kapur, 2002). Further, two PSWR respondents also took issue with what they perceived to be the homogenising implications of deploying vulnerability as a broad signifier, emphasising its failure to account for the variety and diversity of experiences contained by prostitution.

“I don’t really use the term vulnerability for sex workers in general, because I think it is over simplistic”

Feis-Bryce, PSWR

“It can be really patronising to assume that all sex workers are vulnerable”

Ayres, PSWR

These critiques appear to echo those made by PSWR academics regarding abolitionist constructions of prostitution (see Chapter Two) – namely, that such discourses are essentialising and totalizing (see Agustin, 2001; Comte, 2013). Here, as in the introduction to this Part, we learn that respondents value an appreciation of nuance. Finally, two PSWR respondents sought to problematize vulnerability by undermining the credibility of those they believed deployed the term in undesirable ways. Notably, they sought to undermine the credibility of relevant actors, by suggesting that they had not been exposed to the individual subjectivities of women selling sex.

“Often those labels and those words are used by people who haven’t got any experience of the sex industry and don’t really know any sex workers”

Ayres, PSWR

“I think that there is a bit of – I don’t like the word ignorance – but a bit of a lack of understanding and of speaking to sex workers and a traditional notion of women seeing women as more vulnerable than they are”

Scot-Pep Board Member, PSWR

Here respondents refer to government actors *and* abolitionists – a point made apparent both by the wider context of the interviews, and by this respondent’s reference to “women seeing women”. The former group of women referred to here are abolitionist feminists, and the latter group, women in prostitution. I would tentatively suggest that this phrasing invokes notions of disloyalty – a sense that one section of a group, allied through gender, have turned against another and, in so doing, performed an act of betrayal. However, this was not a matter explored at length within my research, and therefore not one I can speak to with certainty. In any event, these excerpts are particularly notable given the displeasure many abolitionist respondents expressed regarding vulnerability. These PSWR respondents are, in essence, attributing blame for the proliferation of the term ‘vulnerability’, to a group (abolitionists) who, as the above quotes show, are not entirely certain they like the term. This, I would suggest, evidences a disconnection between the two coalitions, as if they were talking past – rather than to – one another.

Understanding Ambiguous and Ambivalent Discontent

At this juncture, I would like to pause and draw out some preliminary inferences from the findings explored above. First, in a procedural sense, it would appear that my respondents were – at least partially – the active and strategic users of discourse imagined by sociological frame theory (Benford & Snow, 2000). What their discussions of discontent evidence is a strategic and critical engagement with language – insofar as they directly and indirectly problematize ‘vulnerability’s’ relationship to antecedent and contemporary macro-discourses (e.g. structural analyses and gender ideology). With that said, to what degree such respondents understood their problematisations as ideologically contingent remains unclear. This is a matter on which I elaborate more fully in Chapter Eleven.

More substantively – though each critique could *potentially* be reconciled into one uneasy narrative³¹ – the general lack of consistency, in the first instance, suggests that there was limited consensus regarding the precise meaning of vulnerability. This mirrors the inferences I drew from my documentary analysis. Building on this, the kind of critiques promoted were largely organised in concert with coalition membership: whilst abolitionists were primarily concerned by ‘vulnerability’s’ use in place of a more structural analysis of prostitution, PSWR coalition members expressed apprehension regarding the terms deployment in ways which undermined agency/subjectivity. These narratives mirror those promoted by abolitionist/PSWR feminists more broadly, as outlined in Chapter Two. In turn, I would suggest that the term ‘vulnerability’ has become a canvas onto which policy-actors project their broader anxieties regarding interpretations and representations of prostitution in general.

6.2.3 Constructing Vulnerability

Notwithstanding the range of critiques explored above, all respondents went on to deploy ‘vulnerability’ in order to explain problems they understood to be contained by prostitution. In what follows, I explore related findings – focusing predominantly on how respondents framed causality with regard to vulnerability. This exploration is not without its difficulties – difficulties which reflect broader concerns regarding the practicalities/ethics of research representations. By disaggregating data from its context, I was sporadically forced to forsake some level of nuance. Notably, within the data discussed below, it can appear as if PSWR and abolitionist respondents shared significant areas of consensus. However, whilst some consensus did exist, PSWR advocates were *generally less likely* to frame micro or mesosystemic vulnerabilities as common and were more likely to frame them as atypical. Take, for instance, Ayre’s (PSWR), caveat:

“I think you have to be quite considered about how we use that word because there is great intention to sort of lump sex workers as one group and I think that the answer to that is that the group is hugely diverse and varied. So there are certainly some sex workers who are very vulnerable and then there are lots of people in the industry where the vulnerability is not high and then there are some people who don't feel that they are vulnerable at all.”

Thus, whilst it is by no means misleading to suggest that PSWR advocates felt women who sold sex experienced vulnerabilities created by micro and mesosystemic factors, it would be disingenuous to suggest

³¹ I remain sceptical. Different critiques appear to emanate from different ideological spaces – as this paragraph goes on to discuss – and are thus at odds with one other. For instance, problematizing structures often mean removing some level of significance from the individual, and therefore gives less credence to complaints of disempowerment. As such, any reconciled narrative would likely be politically superficial/fragile.

that they did so as frequently as their abolitionist counterparts. In summary, there was discursive overlap (evidenced below) but by no means a perfect consensus.

In what follows I present data which evidences representations of vulnerability by reference to the four nested systems included within Heise's SEM. As discussed, this approach allows for a methodical disaggregation/presentation of data. In turn, I am able to explore a number of ideologically significant inferences. I begin by discussing representations which problematized individual (microsystemic) causes of vulnerability, before moving on to explore those which problematized interpersonal (mesosystemic) causes, community (exosystemic) causes, and structural (macrosystemic) causes. What will become evident is that whilst there were some areas of consensus (particularly, as intimated, with regard to micro and mesosystemic factors), the conflicting ideological narratives promoted by the coalitions under study (which loosely reflected those explored within Chapter Two) were essentially restated and reorganised beneath the surface inscription of the term 'vulnerability'.

Individual (Microsystemic) Factors

When asked what they felt made women who sold sex vulnerable, a significant proportion of respondents (n=13/21), from both coalitions, offered microsystemic/pathological explanations. It should be noted early on, however, that only a small proportion of respondents (n=2/21) offered *nothing but* pathological explanations – most gave multifaceted responses implicating a range of causal narratives. To illustrate, a number of respondents who problematized microsystemic factors, viewed substance abuse as significant within the formation of vulnerability:

“I think [vulnerability] comes from all sorts of angles. It comes from drug addiction, or alcohol addiction, or some kind of addiction anyway, and it is a method of funding their addiction”

Davies, PSWR

“I think some sex workers are vulnerable and I think that a significant proportion of street sex workers have vulnerabilities associated with other issues that they have as well. You know, including drug and alcohol addiction”

Feis-Bryce, PSWR

Here, relationships existing between intoxicating substances and subjects are arguably represented as formative with regard to vulnerabilities. Alternatively, one could argue that the various pathologies of subjects (e.g. physical dependencies) are problematized and that, within these excerpt, vulnerability is framed as corporeal. Substance misuse could also be interpreted as a problem unto itself. Notably, in invoking representations of women in prostitution as drug users, policy-actors echo the policy documents studied, particularly *Paying the Price* and *Coordinated Strategy*. Over and above this, a number of respondents also cited a lack of mental wellbeing as a primary factor in the creation of vulnerability:

“...they all had some kind of issue around self-esteem – whether it was body dysmorphia, anorexia, some kind of self-esteem. Desperately seeking attention, particularly male attention...”

Harvey, Abolitionist

“So there may be other things that we have seen and I have seen over many years of doing this..... are a lifetime of mental health issues, you know mental health issues that they can get on top of, that they can do some work, and they can function and then the mental health issues get on top of them again. And that could be all sorts of reasons – it might be depression or it might be something way more chronic and enduring”

Perry, PSWR

Here, again, one could argue that vulnerability was framed as pathological - embodied by, and inscribed on, the subject. Alternatively, as above, one could conclude that respondents understood mental health as relational - subjects could have been conceived to have, rather than be, mental illness. Such distinctions may appear fastidious, but speak to whether vulnerability was conceived as an immovable trait (designation), or a more fluid state (experience). Finally, with regard to microsystemic causes, there were a number of respondents (n=7) who believed vulnerability and individual choice were interrelated and connected: that to have limited choice, or the inability to choose, was to become vulnerable or, conversely, that to be vulnerable was to have limited choice. This was expressed both in terms of an individual's relationship to wider social forces and constraints:

“Vulnerability restricts your choices – if you in anyway have any of the traits that I was talking about, whether you are discriminated against because you are a woman or because you are not white or because you have a disability or because you are poor or you are homeless or you have a drug addiction that certainly – I think – restricts the range of choices you have, the range of choices that society is more willing to provide you with”

VAWG Charity Officer, Abolitionist

And in terms of an individual's pathological (micro) attributes and relational (meso) situations:

“When we use the term vulnerability I suppose we are sort of nodding towards the fact that a debatable number, in my opinion the majority, of women in particular who are involved in prostitution – it has come about because notions of choice have broken down either because of they were underage when they entered, they have addictions to drug and alcohol, chaotic lifestyles, controlling partners or pimps and abject poverty”

Gavin Shuker MP, Abolitionist

What is curious about these points, both articulated by abolitionist respondents, is that they appear to draw from broader abolitionist representations of the ‘problem’ of prostitution. As discussed at length in Chapter Two, choice is a deeply contentious issue over which much feminist ink has been spilled – and many abolitionist feminists place significant emphasis on the way a lack of choice mediates entry into prostitution (see Beran, 2012; MacKinnon, 2011; Miriam, 2005; Pateman, 1988). Shuker's statement is particularly striking, as he appears to frame vulnerability as synonymous with or reducible to, a lack of choice. Notably, I pay significant regard to the way policy-actors and documents conceptualised choice in the following chapter.

Relational (Mesosystemic) Factors

A similarly significant number of respondents (n=13/21), when asked what caused vulnerability, spoke of interpersonal relationships – both coercive and non-coercive, contemporaneous and historic. They spoke, for instance, of how prior relationships could be formative in structuring an individual's social position:

“But if you look at a lot of kids who end up as drug addicts and in on street sex work, they come from really tragic backgrounds. You know you are talking about really damaged people who almost end up there... I don't know, I would never use the words ‘it's inevitable’ but in some cases it is foreseeable. So all those social factors are in play – about poverty, about lack of education, lack of social mobility, sadly following older sisters and sadly mothers”

Armitt, PSWR

“But there are things we cannot ignore about women in particular aspects of the sex trade, whether that is a history of care, neglect or abuse in childhood by parents or carers or just the misfortune to meet a pimp as a boyfriend when young”

Bindel, Abolitionist

“So break down in relationships and caring responsibilities.....I too have worked with men in homelessness hostels³² and I would say that this is one of the distinct factors that goes across both genders...all genders. That relationships break down and destabilise people financially and environmentally and mentally and socially and I would say that just cuts right across. So many times I have worked in hostels and people have said, well you know it started five years ago when I split up from my relationship and things just went to the rats after that”

Perry, PSWR

There was also, relatedly, a tendency to trace interconnections between historic vulnerabilities and vulnerability to contemporaneous coercive relationships which, in turn, created compound vulnerabilities anew:

“But also pimps have a, they have got spider sense, people are very good at sniffing out vulnerability and targeting and there are all sorts of issues around that...”

Hardie, Abolitionist

“I think certain groups of exploitative men read - read things through our bodies and our behaviours and our responses that lead them to think... child sexual abusers target particular children and we don't know enough about what it is that they are seeing but I certainly think that they, that they target young women who have got a troubled complicated relationship with their own bodies, with their sense of their right to have dreams and ambitions and possibilities... so, but I think that they see things, or they pick up on things that we don't.”

Professor Liz Kelly, Abolitionist

In citing the effects of historic experiences, these respondents appear to echo the positions of Fineman (2008) who argues that a progressive vulnerability thesis must “take into account past circumstances and future obligation” (2008, p. 4). In so doing, she disrupts liberal representations of the subject as atomistic and situates her within a complex web of historic and contemporaneous relationships. In turn, Fineman suggests that such constructions disrupt post hoc methods of redress and demand broader, more holistic remedial action. Here, respondents appear to suggest that remedying vulnerability associated with selling sex might require action which transcends addressing the immediately problematic. What form that redress would take, remains unclear at this juncture – as does the broader ideological significance of these claims. To illustrate, the Coalition governments ‘Troubled Family’ agenda sought to address some of the issues identified by respondents, but did so in such a way that it reinforced the hyper-responsibilising macro-discourses of neoliberalism, e.g. that poor character/decision making leads to breakdowns in familial systems and poverty (Baptist Union of Great Britain, The Methodist Church, Church of Scotland, & United Reformed Church, 2013). However, many family violence theorists (see Reingardien, 2004) would suggest something like familial violence should be understood by reference to, and nested within, exo- and macrosystemic factors.

Over and above discussions of historic interpersonal relationships, respondents also spoke of contemporaneous coercive relationships, of pimps and traffickers, and the vulnerabilities they could create:

³² My employment history includes work in men’s homeless hostels. Perry was referencing this.

“And then of course, at an extreme level, if you are under any kind of spectrum of control or coercion then obviously you are much more vulnerable”

Ayres, PSWR

“So therefore I think that the coercion and therefore the elements of people’s vulnerability come from things like being controlled by men, having been trafficked....”

Right Honourable Jacqui Smith, Former Home Secretary, Abolitionist

Notably, these problematisations of mesosystemic interpersonal relationships echo the policy documents analysed above. Furthermore, both historic and contemporaneous coercive and controlling relationships could be understood as harms unto themselves, risks realised.

Community (Exosystemic) Factors

A significant number of respondents (n=10/21), abolitionists and PSWR advocates alike, expressed the belief that the illicit sex industry *itself* created particular vulnerabilities, most commonly vulnerabilities associated with liaising with unknown individuals on a one to one basis, and violence more broadly.

“Violence is rampant, in some areas up to ten rapes a week are being reported to us, a woman was murdered in Ilford in East London, near towards the end of 2013 in the wake of the police crack-down”

Laura Watson, PSWR

“The thing that makes them most vulnerable is the one to one situation that they put themselves in with an individual that they don’t necessarily know, which in any other context would probably not be recommended”

Home Office Civil Servant³³

Here, the Civil Servant – in contrast with Watson - appears to draw on the (masculinist) victim-blaming rhetoric problematized by Harvey (above) and other feminist academics (Chapter Three). He suggests that vulnerabilities are created by situations women ‘put themselves in’ – making no mention of those inclined to use violence. Here, silence regarding the role of perpetrators works to naturalise violence suffered by women in prostitution – casting it as an inevitability which can only be avoided through strategic non-engagement. Ideology, once again, functions in the spaces between words. What is perhaps tangentially curious is that this respondent works within the ministerial department (the Home Office) critiqued by Morgan and Bjorkert (2006) for publishing victim blaming criminal justice literature. What this might very tentatively point to (though by no means conclusively prove) is the kind of dialectical/bilateral relationship - between conceptual space and interpretivist lens - theorised by Bourdieu (2006) and Fairclough (2010).

With that said, for the most part respondents *did not* discursively responsibilise women selling sex, and rather explained the systemic nature of the illicit sex trade by reference to macrosystemic factors. Here, however, the fault lines of a fractious debate started to grow apparent: each advocacy coalition represented the causal relationship between situational and structural vulnerabilities differently – in ways which reflected broader feminist debates on, and disagreements regarding, prostitution. To illustrate, those identifying more strongly with a PSWR position tended to account for situational vulnerabilities by reference to prostitution’s criminalisation:

³³ This respondent was very clear, throughout our interview, that he would not express his own position – but rather that of the government’s. In turn, he framed himself not as a member of one of the coalitions – but rather a key player in assessing the contributions of those coalitions, attempting – at times – to bring them into dialogue, and ultimately brokering a policy government could support.

“I think in sex work, to do such a dangerous job and it is dangerous whether we talk about it in this country or in any other country – the laws around it make it particularly dangerous....”

Scot-Pep Board Member, PSWR

Whereas those identifying with an abolitionist position tended to account for the violence by reference to structural inequalities, particularly gender inequality:

“It’s about structural inequalities more generally.... [and] the fact that you are being bought and sold and that is – and you are then traded as a commodity”

Hardie, Abolitionist

These are matters I go on to explore in more depth now.

Structural/ Cultural/ Social (Macrosystemic) Factors

As intimated, a significant number of respondents (n=13/21) expressed the belief that vulnerabilities were created by the structural, cultural and social factors which contextualised and constrained individuals involved in prostitution. Here, then, they differed from policy documents – which remained largely silent on such matters. But whilst abolitionists put significant emphasis on macro-level gender inequality as an explanatory variable:

“[In reference to Dominique Strauss Kahn] But he is part of that, part of the field of a sense of male privilege and entitlement to women’s bodies – the access to sex, the access to some fairly punitive decisions he was making with regard to global inequality, and upholding money. So he’s not, I don’t think you should shine a light on him as a uniquely bad guy because he is part of a system...”

Hardie, Abolitionist

“Yes, so the vulnerability...is something is imposed upon women and something that is part of the social construction of women’s inequality”

Senior Civil Servant (Retired), Abolitionist

PSWR advocates tended to stress the significance of criminalisation:

“For example, if there has been policing activity in a beat, so if punters have been arrested it increases the competition – so you actually get sex workers who will for the same price won’t use a condom, so that in itself...”

Alex Feis-Bryce, PSWR

“Because it is such a clandestine world and all of the law and regulation around it is weighted against allowing people in the sex industry from being able to truly protect themselves, being able to avail themselves of genuine public protection measures like being able to call the police and knowing the police will respond”

Perry, PSWR

As previously intimated, these representations of macrosystemic vulnerabilities/causalities mirror broader feminist debates regarding prostitution, as outlined in Chapter Two. In summary, abolitionists respondents – like abolitionist academics - problematized macro-level gender inequality (see MacKinnon, 2011; Miriam, 2005) and PSWR advocates – like PSWR academics - problematized extant legal settlements (see Brooks-Gordon, 2005; Comte, 2013).

Over and above this, respondents from both cohorts made reference to poverty, or socio-economic disadvantage, as a state which could and did create vulnerability within prostitution and beyond:

“It’s rarely solely individual, so whatever has brought a woman into a situation of selling sex is rarely entirely of her own making or her individual life chances or serendipity. It is, it is usually going to be structural – relayed to women’s systematic inequality, related to other inequalities that she might live in, be they poverty or race and so on....”

Sarah Green, Abolitionist

“And just to say that....how the state plays in that, the state organises women’s poverty obviously via lack of benefits, lack of housing, lack of resources, and lack of also recognition for work that women are already doing like bringing up children, caring for others, volunteering...”

Watson, PSWR

These excerpts are telling insofar as they both provide demonstrate that – in contrast with the policy documents analysed – some respondents viewed economic vulnerabilities as created and sustained by the institutional and structural make-up of macrosystems, rather than individual financial management. Interestingly, Watson appears to allude to a dual systems analysis, insofar as she suggests that women’s inequality is organised around, and through, state resource distribution. Here, she arguably draws from Marxist feminism (Mooney, 2000). This is a matter I discuss at more length in Chapter Eight.

An Ecological Model

Finally, a handful of respondents (n=4/21) explicitly expressed the belief that vulnerability should be understood as a ‘nested’ phenomenon which, though manifesting at a micro-level, was interrelated to meso and macro factors.

“[When explaining vulnerability] I would definitely go for the bigger structural picture.....there are just too many factors that are all interlinking and that is one of the things that makes it a difficult thing to unpack and move women on...”

Harvey, Abolitionist

“I think that they are personal and situational (aspects of vulnerability), and I think that if somebody has all of those factors that are playing against them right from the word go – a poor domestic setting, a poor childhood, a poor upbringing, a poor education, poverty, little aspiration and then you say ‘well make really good lifestyle choices, that is the tool box you have been given and now we expect you to make really good decisions about how you are going to live your life – it’s not real is it?’”

Armitt, PSWR

This evidences a sophisticated understanding of causality and vulnerability – which arguably eschews the simplicity of totalizing single factor explanatory models, and embraces the complexity of a more integrated approach. To illustrate, Armitt’s historic contextualisation of the subject who sells sex could be understood as reflective of Bourdieusian sociology – insofar as he appears to allude to the cumulative effect that immersion within numerous conceptual spaces (e.g. family, education), and social trajectory, might have on the dispositions (*habitus*) of the woman who sells sex.

6.2.4 In Summary: Respondent Conceptualisations of Vulnerability

Respondents - from across the prostitution debate spectrum – conceived of vulnerability in many and varied ways. They represented vulnerability as causally related to: substance misuse, mental ill health, a lack of choice, historic and contemporaneous relationships, involvement in prostitution, the law, macro-level gender inequality and poverty. In turn, many believed the complex and messy interplay of multiple dialectically related factors was formative in creating vulnerable subjects. In more abstracted terms,

vulnerability was construed as pathological and relational, as circumstantial (immediate) and embodied (carried over time), and as caused by micro, meso, exo and macrosystemic entities. Finally, the concept was often treated with scepticism. Respondents – perhaps cognizant of the ambivalence associated with the term – sought to distance themselves from particular interpretations they felt were possible, whilst simultaneously using it to support their argument. This, notably, furnishes and affirms Munro and Scoular’s contention that conceptual ambiguity “enables different stakeholders to use the language of vulnerability in a variety of contexts, but rarely to denote the same meaning” (2012, p. 195). Furthermore, it could be argued that uncritical deployments of the term vulnerability, could encompass and flatten out a significant range of experiences and causalities.

What was arguably most notable was the degree to which respondents drew on familiar feminist narratives of prostitution in order to explain vulnerability – in ways which mirrored some of the schismatic divides alluded to in Chapter Two. In essence, ambiguity surrounding the conceptual meaning of vulnerability allowed respondents to ‘read-in’ both their preferred representations of prostitution, and express their broad anxieties regarding alternative representations. One could argue that, in drawing on pre-existing ideologically driven discourses, respondents merely evidenced the central tenets of CDA, e.g. that any act of interpretation is necessarily performed in alignment with a pre-reflexively possessed ideological preference (Fairclough, 2010). Whilst I would accept this point to a degree, I would suggest that the manner in which whole narratives were translated from one space (prostitution debates) into another (the concept of vulnerability) evidences a phenomenon to some degree distinct from interpretation through an ideological lens. At the very least, it evidences a deeply complicated relationship between the signifier of vulnerability and what it signifies – and this is not a universal attribute of all language. Many signifiers are so tied to either a signified object, or pre-existing discourse (their precise meaning so pervasively accepted) that alternative interpretations are heavily constrained. To illustrate, the concept of ‘false-consciousness’ was (as future chapters reveal) fiercely rejected/repudiated by PSWR respondents – they could not and would not be reconciled with it. A theory which explicitly displaced the primacy of individual subjectivity by suggesting that it did not reflect the authentic self - but rather oppressive social forces (Stoljar, 2014) - simply deviated too significantly, and importantly, from their position. It was, in short, too densely packed with pervasively agreed upon, pre-existing and cohesive meaning. Comparatively, the term vulnerability is relatively empty. This is a matter I revisit when drawing my analyses of documentary and interview data together, in section 6.3. In what follows, however, I wish to briefly evaluate/elucidate respondent positions by reference to the work of Fineman and her contemporaries.

In a number of ways, the many representations of vulnerability explored in my findings are commensurate with the work of Fineman. Fineman is not, for instance, adverse to discussions of bodily or interpersonally mediated vulnerabilities, so long as they are integrated with a more structural analysis. As Assiter (2013) argues, a vulnerability thesis’ potential to disrupt liberal conceptions of the subject rely somewhat on their dissolution of the Cartesian dualism (which frames consciousness as isolated from corporeality) and the subsequent creation of an inherently animalistic subject. I would posit that a more ambivalent relationship exists between Fineman’s thesis and abolitionist/PSWR representations of the macrosystemic factors at play. Ostensibly, the PSWR problematisation of state behaviour speaks most intimately to Fineman’s work, but its focus on the removal of state intervention and the role of the individuals in ameliorating their own vulnerability (e.g. through empowerment) arguably sits uneasily with the more radical dimensions of her vulnerability thesis. On the other hand, the abolitionist focus on the more diffuse and complex trend of gender inequality, might appear to deviate slightly from Fineman’s concern with the state, but one could make the argument that the state has been – and continues to be – a residual player in the sustenance of

such inequalities, no matter how diffuse. And building on this, it is not *entirely* clear what position Fineman would take with regard to the elision of agency/choice and vulnerability - as she does not speak to whether relationships/dependencies form or externally restrain human action. This, I would suggest, points to an area of her thesis requiring explicit theorisation – given its potential significance more broadly.

One thing I believe to be particularly notable, was the consistent representation of vulnerability as a *harm* – both potential and realised. Chaotic substance abuse, mental illness, coercive and violent relationships, oppressive legal regimes, gender inequality, and poverty are all ostensibly negative phenomenon to be remedied wherever possible. At no point was vulnerability associated with a positive experience. Arguably such interpretations mirror Fineman's use of the concept: she tends to frame vulnerability as an inevitable but nonetheless undesirable trait of human existence, which states should work to lessen through resilience-building institutional intervention. They diverge, however, from Butler's (2016) conception of the term. Whilst Butler does understand the dependency which forms, and is made necessary by, vulnerability as a space within which coercion/violence/inequality occur, she also suggests that such relationality facilitates passion/nurturance/love. For her, then, vulnerability is a multifaceted experience. Noting these convergences and divergences allows us to draw something of a discursive boundary: within the policy subsystem studied, vulnerability is used as a normative signifier, denoting undesired and undesirable things. Thus, whilst the discursive space of vulnerability was used to reorder pre-existing debates, it was not used to promote a positive rendering of the phenomenon. Here, then, PSWR and abolitionists both used vulnerability to focus attention on the negative dimensions of prostitution. I would suggest - very tentatively and with the concession that more research would be required to confidently assert this position (e.g. on genealogy/with policy brokers) – that this finding somewhat disrupts the claim, made within relevant policy literature, that abolitionists and neoliberal governments entirely shoulder the blame for discourses of victimhood/vulnerability in English prostitution policy (Brooks-Gordon, 2010; Munro & Scoular, 2012; Soothill & Sanders, 2004). It would indicate that PSWR respondents were, at least to some degree, complicit in such sustenance. In addition, I would suggest that dominant conceptions of vulnerability – within this field – are somewhat marginalising, insofar as they appear to frame 'the vulnerable' as a subset of society subject to particularly unfortunate circumstances. With that said, the varied kinds of causal relationships represented as constructing vulnerability did transcend traditional 'protected characteristics' and therefore somewhat disrupted the othering of liberal equality frameworks.

6.3 Vulnerability and Policy: A Discussion

Before concluding this chapter, I wish to draw the various strands of analysis – explored above – together. I wish to do so, as intimated, by exploring the ambiguity, ambivalence and general lack of conceptual clarity surrounding the term 'vulnerability'. I ruminated, for some time, as to whether my findings in this regard were significant insofar as they evidenced something *lacking* (e.g. a consensus) or whether they suggested something more intellectually/analytically compelling. After extensive exploration of relevant theory, I concluded in favour of the latter. It is my contention that 'vulnerability' has become a floating signifier. 'Floating' signifiers are "potent political symbols....able to contain the multiplicity of meanings read into them by the various people rallying around them" (Williams, 1995). They are "open to continual contestation and articulation by radically different political projects" (Worsham & Olson, 1999, pp. 1–2) and provide "a 'surface of inscription' for a number of disparate – and sometimes contradictory – political ideas" (Payne, 2012, p. 188).

The concept of vulnerability is a politically and culturally potent symbol insofar as it can be used to construct a sympathetic subject, a subject in need, a subject desirous of (or requiring) intervention (Carline, 2011). Vulnerability is, in short, a call to arms. As Fairclough (2010) and Bacchi (2012) suggest particular problematisations propose particular solutions. Vulnerability and vulnerable subject's *legitimate* political action. This particular contention is not original: Carline (2012) contends that central government prostitution policies deploy a frame of vulnerability in order to justify their punitive inclinations. The original contribution of this thesis is with regard to how the political poignancy of 'vulnerability' has been appropriated by a multitude of actors and (because the concept provides little more than a surface of inscription) filled with ideological meaning commensurate with favoured positions. In turn, this facilitates intelligible debate and hegemonic struggle. With regard to the intelligibility of debate, a useful comparison can be drawn with William's³⁴ (1995) work on the concept of the 'public good'. "The 'good society'" William's claims "is a stirring symbol of consensus, but its actual meaning is 'essentially contested'" (1995, p.129). In the same way that the good society provides consensus insofar as so many wish to strive for it, vulnerability provides consensus as so many wish to alleviate it. In short, the agreement that women who sell sex are vulnerable, and in need as a result, creates an ability to speak and an ability to fight. This provision of a discursive space allows respondents to vie for dominance in the political field of meaning making. In short, my findings with regard to vulnerability do not evidence the lack of something. On the contrary, the concept of vulnerability is near empty of meaning but heavy with consequence - it is more than a vague signifier, it is a site of consensus and a space for contestation. It is not clear, at this juncture, the ambivalence of 'vulnerability' is strategically deployed by government actors in order to draw in, or placate, members of the coalitions studied - or whether a less calculating process has occurred. More research, with policy-brokers, might shed light on this matter.

More substantively, some level of consensus exists between abolitionist respondents and PSWR respondents, and these respondents and government policy - particularly at the micro, meso and exo systemic levels. For instance, respondents and documents problematize the vulnerability inducing qualities of coercive relationships, and respondents and documents suggest that the illicit sex industry itself confers vulnerability. Where most respondents and policies differed, however, was with regard to the *existence* of structural factors. Whilst, as discussed, policies suffered a structural blind spot, focusing on debt rather than poverty and homelessness rather than housing, a significant proportion of respondents problematized the state and other structural, cultural and social factors. With that said, whilst most respondents agreed on the *existence* of structural factors they tended to disagree regarding the *character* of such factors. There was consensus, among many respondents, with regard to the vulnerability stimulating character of poverty but whilst PSWR respondents primarily problematized the role of the criminal law and its enforcement, abolitionists primarily problematized the role of macro-level gender inequality. This, as has been indicated above mirrors broader narratives of prostitution espoused by activists, as recorded in relevant literature and in this research project.

From this evidence, one could tentatively infer that in creating the 'boundary objects' (Freeman & Maybin, 2011) of written policy, policy brokers sought to respond to an array of stakeholders as best they could, seeking to reconcile conflicting narratives and messages and to create a final product which spoke to all proffered positions. Put plainly, we could understand policy documents as the artefacts of a policy brokering process which endeavoured to appeal to the lowest common denominator of stakeholder opinion (see

³⁴ William's does not explicitly use the term 'floating signifier' but his analysis closely mirrors those who do.

Sabatier, 1988; Weible et al., 2009), e.g. micro, meso and exo-systemic factors. There is some indication, within policy, that this kind of brokering might have taken place. For instance, *The Review* claims that:

As well as reflecting local circumstances, responses to prostitution reflect different ideological approaches. Some areas and partners focus primarily on reducing street prostitution; others take an approach that focuses mainly on reducing harm to those involved and/or encouraging people to exit prostitution altogether. Despite these differences, there remains common ground in prioritising the safety of those involved and ensuring they are given the support they need to improve their lives and achieve their aspirations (p.3)

Whilst *Tackling Demand* claims that:

Consultation with those involved in the Review also highlighted differing views amongst stakeholders in relation to the introduction of a generic criminal offence of paying for sex. Nonetheless, there was support for a focus on exploitation and those that pay for sex in the knowledge that other person may have been trafficked or exploited or who do not even consider whether this might be the case. (p.13).

Alternatively, one could infer (as I intimate above) that policy documents reflect vulnerability as interpreted through a neoliberal ideological lens – that policy discourses, as written, reflect not a straightforward confluence of two conflicting discourses, but a third powerful discourse which, to some degree, subsumes less dominant discourses. According to this construal, policy-document representations would be understood as the result of a hegemonic struggle in which conflicting and contradictory narratives were brought together and ordered by reference to a dominant discourse (e.g. neoliberalism). In turn, any consensus could be viewed largely as the consequence of a conciliatory approach to the practice of power (Fairclough, 2010). Certainly, this would reflect observations made by critical discourse analysts, who suggest collaborative meaning making is most frequently a contested process in which more powerful and influential speakers are able to promote their interpretations at the expense of others (Fairclough, 2013; Jaworski & Coupland, 2006). Similarly, it would reflect previous work on policy-making, which suggests that pre-existing institutional filters make the promotion of more radical narratives difficult, and subsequently lead to the perpetuation of certain frames (Smith, 2013). As before, however, more research would need to be undertaken, with policy-brokers, to ascertain the precise dynamics at play.

6.4 Conclusion

To conclude, this chapter has explored the many and varied ways policy-actors and documents alike, interpreted and represented vulnerability, as they felt it pertained to women who sold sex. I began by presenting an analysis of the four policy documents selected for study. Here I suggested that whilst there was a lack of definitional clarity with regard to the meaning of vulnerability, evidence indicated related deployments functioned in an individualising fashion, arguably reflecting (neo)-liberal macro-discourses. Then, I moved on to discuss the way interviewed policy actors conceptualised the term. I began by exploring the discontent my respondents expressed with regard to potential interpretations of the concept. I then discussed the various ways in which they deployed the term, disaggregating data by systemic typologies and exploring coalition convergence/divergence. Here, I concluded that the notion of vulnerability was highly contested, and that respondents drew on a range of discourses – many of which reflected extant feminist debates regarding prostitution – in order to create its meaning. In drawing these analytical strands together, and exploring them through the theoretical offerings of Laclau, I concluded that ‘vulnerability’ had become a ‘floating signifier’ within the policy subsystem of study – a fluid and shifting term, which allowed

respondents to 'read-in' their preferred narratives and engage in a hegemonic struggle over meaning. As intimated above, it is unclear whether 'vulnerability' had been strategically constructed as such in order to achieve this effect, or whether it has developed as such without calculative interference – what is clear, however, is that the term has become a site of complex and contested political work.

Chapter Seven - Prostitution, Subjectivity and Choice

In this chapter I explore the way policy-actors and documents interpreted and represented the subjectivity and choices of women who sold sex. As discussed within Chapter Two, matters of subjectivity and choice play a central role in prostitution debates. A number of abolitionist theorists have queried the degree to which women truly choose to sell sex, problematizing external and internal pressures (e.g. gender inequality/ socialisation) which they understand to curtail, or vitiate, a subject's ability to freely choose (see MacKinnon, 1989; Meyers, 2014; Miriam, 2005; Pateman, 1988). Such problematisations have been met with scepticism and anger by PSWR academics and activists, who argue that this position represents women who sell sex as incapacitated victims (Brooks-Gordon, 2005; Weitzer, 2010), and that, in uniquely problematizing choice as it relates to the illicit sex industry, abolitionists reiterate/retrench moralistic and oppressive conceptions of sexuality (Nussbaum, 1998). More broadly, questions regarding the inherent nature of the subject and her subjectivity inform much discussion within political philosophy and critical social theory (see Bourdieu, 1977; Butler, 2016; Meyers, 2010; Oshana, 2007). Specifically, to what degree (if any) social forces act on/through the subject, causally or formatively, informs much of debate.

Here, as before, I begin by exploring how the four policy documents selected for study, represent subjectivity and choice. I suggest that, within these documents, women in prostitution are very often framed as without choice. Subsequently, I argue that the removal of choice, more often than not, is presented as attributable to the behaviour of a coercive/violent third party (e.g. a pimp). In more abstracted terms, I suggest that by focusing on mesosystemic factors at the expense of a more structurally informed analysis, policy documents promote a narrow framing of choice suppression – one which appears to draw from/reiterate broader (neo)-liberal conceptions of the same. I then go on to demonstrate that, in the absence of coercive interpersonal relationships, women are blamed for their continued involvement in prostitution – an inference supported by the hyper-responsibilising and individualised interventions recommended as remedial.

I then move on to discuss my interview findings. I begin with a discussion of whether, and to what degree, policy-actors perceived women selling sex to be authors of reality. I explore what respondents understood the perspectives and feelings of women in selling sex to reflect – a reality, a false perception of a reality, or an interpretation of a reality filtered through a lens of some description (e.g. ideological socialisation). Here, I conclude that – contrary to much commentary on the feminist debate more broadly (Meyers, 2014; Miriam, 2005) – PSWR and abolitionist respondents conceived of subjectivity in much the same way. Indeed, I suggest that my evidence indicates a pervasive acceptance of internal individualism. Thereafter, I discuss the way respondents interpreted and represented the concept of choice as they felt it pertained to prostitution. I focus on how respondents conceived of, and represented, free and curtailed choice, and discuss the implications of such perceptions with regard to their understandings of sex trade legitimacy more broadly. Here, as before, I suggest that respondents from both coalitions conceived of choice – at least in its fundamental conception – in much the same way, but differed with regard to the normative implications of socio-political constraints, and the material prevalence of women freely choosing to sell sex.

I conclude by discussing how abolitionist respondents problematized prostitution, given that many represented a portion of women who sold sex as ostensibly choosing to do so. I begin, here, by exploring

the contention that criminalising the purchase of sex is in the public interest, and suggest that related positions are seemingly premised on an understanding of society reflective of the tenets of some critical social theories, such as Bourdieusian sociology. I then go on to discuss the position, articulated by some abolitionists, that prostitution should be problematized on the grounds of an inviolable bodily autonomy.

7.1 Documentary Analysis

All four policy documents selected for study, appeared to suggest that women in prostitution suffer from a lack of choice, and that this is instrumental in their selling of sex. To illustrate, the *Coordinated Strategy* suggested that there is “a great deal more free choice involved in the demand, rather than the supply, side of the street sex market” (p.35); whilst *Tackling Demand* argued that many women “sell sex against their will” (p.2). Notably, *Paying the Price* claimed that “some men and women involved in prostitution argue vociferously that [prostitution] is their occupation of choice”, before going on to suggest that many make these claims “through a combination of fear, the process of normalisation or in an effort to maintain their dignity” (p.39). Here, then, those viewed as ostensibly choosing are framed as self-deceiving. In turn, the epistemic credence of subjectivity is devalued (Topper, 2001); its representations do not reflect a ‘truth’. This was, conspicuously, the only fraction of evidence I could discern which framed subjects as formed by/causally related to socialisation (e.g. ‘processes of normalisation’). With that said, it is theoretically notable that these processes were not explicitly framed as consequential to social immersion. There was, for instance, no mention of the potentially subjectifying impact of a pervasive masculine ideology – which prescribes gender binaries in such a way as to make the configuration of the sex trade intelligible (see Hee-Kang Kim, 2004). Arguably, there are multiple meso-/exosystemic ways in which socialisation could be conceived to occur (e.g. dialogic socialisation (Barnett et al., 2008)). Therefore, to question the epistemic primacy of the authorial subject, is not necessarily to imply that the social sphere has influenced an individual’s cognitions. In turn, the above claim seems to work, primarily, to undermine the credibility of the subject - more so, at least, than to problematize the context which surrounds her.

For the most part, however, coercive/controlling interpersonal relationships were framed as responsible for influencing, curtailing and vitiating women’s choice-making capacities. To illustrate, *Paying the Price* suggested that ““violence, including sexual violence, is routinely used by pimps as a means of control” (p.44); *The Review* claimed that some women, “may be in an abusive relationship where their partner forces them to sell sex” and *Tackling Demand* argued that:

“Those who sell sex are often the victims of serious violence and exploitation; they are often vulnerable to abuse, coercion or control by others, who gain from their involvement. Some individuals are forced to sell sex against their will” (p.2)

Furthermore, the *Coordinated Strategy* paid significant regard to third-party offences (e.g. trafficking and controlling for gain), suggesting that through “bringing to justice those involved in sexual exploitation” the state could make an important step in preventing prostitution from occurring in the first place. In evaluating this framing of prostitution, Phoenix (2005) argues that contemporary policy has been organised around the figure of a hyper-masculinised criminal - at the expense of a broader analysis regarding the way social contexts/conditions structure routes into prostitution, and the illicit sex industry itself. I would second this analysis and argue that, whilst interpersonal violence/force is a demonstrable and concerning facet of much prostitution (Farley et al., 2009), to fixate on its existence - without contextualising it within a broader analysis of how choice is influenced/organised by social externalities - is to promote a very narrow understanding of what it is to experience limited choice. On a more abstracted level, and in accordance

with Stringer (2014), I would suggest that narrow conceptions of curtailed choice draw from regressive and ideologically laden narratives of subjecthood insofar as they “evacuate sociological explanation” (2014, p. 10), casting more structurally orientated analyses into silence. Here, then, as with constructions of vulnerability, the policy documents studied appeared to reiterate and reproduce assumptions associated with a hegemonic (neo)-liberalism. Indeed, the tyrannical suppression of choice is, within much liberal thought, conceived as the primary threat to the individualised subject (Nedelsky, 1989).

This inference is strengthened when one explores how subjects/choices were represented beyond discussions of force and duress. In the absence of interpersonal violence, and in contradiction with more generalised claims (as above), women were largely framed as personally responsible for their involvement in prostitution. To illustrate, all four documents framed microsystemic factors - substance abuse, debt and poor employability - as instrumental in leading women to, and trapping them in, the illicit sex trade. Furthermore, matters which could obliquely point to a more macrosystemic understanding of disadvantage (e.g. homelessness), were discursively solidified as microsystemic issues by the recommended methods of redress. For instance, the *Coordinated Strategy* explains that homelessness can be ameliorated by recourse to Supporting People programmes which “help with independent living” by allowing subjects to “develop skills in managing tenancies (including budgeting and paying bills)” (p.48). Here, the lack of a home is framed as consequent to personal failings (e.g. inability to maintain a tenancy) rather than a more pervasive and structural phenomenon (e.g. local authority reliance on unaffordable private housing). Building on this, both *Paying the Price* and *The Review* made repeated reference to the contributory nature of ‘chaotic lifestyles’: whilst the latter claimed that the “individual circumstances of anyone involved in prostitution can be very complicated – chaotic lifestyles... need to be taken into account” (p.48); the former claimed that “the availability of... immediate support recognises the often chaotic lives of those involved [in prostitution]” (p.17). Here, then, the problem of prostitution is presented as the anarchic disorganisation of women’s individuals lives – rather than the broader context within which those lives were lived.

In turn, and as discussed in Chapter One, such problematisations work to legitimise the hyper-responsibilising ‘enforcement plus support model’ (Phoenix, 2005) – which conjoins criminalisation and therapeutic care into a symbiotic interventionist approach, designed to rehabilitate offender behaviour (Leon & Shdaimah, 2012). Indeed, all four documents promoted the use of arrest and post-conviction referral schemes - which allow women to avoid criminal conviction/sentence by diverting them to “the services they need to support changes in their lifestyle” (*The Review*, p.23). Thus, the threat of criminalisation is used to coerce sellers of sex into rehabilitative programs which, arguably, do little more than help them come to terms with their marginalisation (Leon & Shdaimah, 2012). And as similarly discussed in Chapter One, these kinds of individualising interventions are frequently understood as distinctly neoliberal – insofar as they reflect a constructivist project organised around a desire to form individuals, rendering them the subjects and objects of governance (Scott, 2011). Indeed, I would suggest that whilst problematisations of individual choice and interpersonal coercion could be construed as demonstrably liberal, the method of recourse preferred within prostitution policies make them reflective, and reiterative, of neoliberalism.

7.2 Interviews

Thus far, I have explored findings generated through an analysis of the four prostitution policy documents studied. In what follows, I discuss the way respondents, from both the abolitionist and PSWR advocacy coalitions, interpreted and represented the subjectivity and choices of women selling sex. I begin, here, by

exploring findings which evidence the degree of epistemic validity respondents awarded to the subjectivities of women in prostitution.

7.2.1 The Epistemic Meaning of Individual Perspectives

The vast majority of PSWR respondents explicitly awarded epistemic primacy to women who sold sex.³⁵ In summary, these respondents suggested women's perceptions of their involvement in prostitution were meaningful forms of knowledge, and should be treated accordingly:

"You can empathise, great let's empathise, empathy is good, but we can never truly put ourselves in the position of somebody else. And as a result, what we must not do is that we must not take away – and you will have, this word will have been banded around by lots of people probably of my ilk – but we must not take away agency from people"

Perry, PSWR

"...so really they should be the authors of their own service and their own needs and their own rights and their own experiences and too often that is spoken about by people who haven't experienced sex work or haven't been sex workers"

Scot-Pep Board Member, PSWR

More broadly, these excerpts appear to draw from a dominant narrative within much liberal thought: namely, that what constitutes an (un)desirable experience is a matter of individual preference and, consequently, the imposition of an external communitarian morality is unacceptably oppressive and paternalistic (Oshana, 1998). Notably, the Scot-Pep Board Member frames this in reference to policy approaches, suggesting that women should be "authors of their own....rights". Furthermore, these respondents draw an important connection between experience and agency, namely that the former should be allowed to inform the latter – that what is desired should not only be treated as a 'truth', but as something to be realised through autonomous activity.

Notably, and in an affirmation of much of the literature discussed in Chapter Two, a number of PSWR respondents explicitly identified questions regarding the meaning and epistemic weight of lived experience, as key sites of conflict in debates regarding prostitution. For instance, a number of PSWR respondent's critiqued abolitionists, by suggesting that they undermined individual autonomy. Most notably, they told me that abolitionists frequently promoted representations of women in prostitution as suffering from 'false consciousness' (see Chapter Two).

I think these are the things that the abolitionists aren't thinking about how the consequences of their ideology comes down to and it is about coming down to saying that what you say about your life is not true because you are experiencing false consciousness, which means that you are actually a victim and then you don't have agency in other parts of your life.

Scot-Pep Board Member, PSWR

Yeah, I think that I find the concept of false consciousness a little bit frustrating because well the way that it is used to set up... as a catch all phrase for any sex workers who say that they have choice. Because I do know many sex workers, male and female, who say "I am doing this because I much prefer it to what I did before" and they are much happier now they are doing this.....I think you have got to give people their agency.

Alex Feis-Bryce, PSWR

³⁵ Those who did not, simply failed to address the matter. There was no explicit dissent.

Here, then, PSWR respondents suggest that abolitionist's represent women's narratives as epistemically invalid – as manifestations of cognitions corrupted by social forces. What is curious, however, is that not one abolitionist respondent used the term 'false consciousness' or, indeed, alluded to a process approximating it. Rather, abolitionists tended to suggest that women who sold sex should be listened to, and their life experiences treated as valid. For example, a number of abolitionist respondents spoke of a desire to hear, and to heed, the individual perspectives of all women who sold sex:

"The arguments that we would commonly face are... some organised women in prostitution definitely works absolutely fine for them and it's not our business to tell them that it is damaging or exploitative, it is not our business to interfere with their livelihood because it is a livelihood that they have chosen over stacking selves or something, so lots of common arguments you hear from women, so not from punters – I am very interested to hear those, to listen, not to dismiss them and tell them they have got no agency and all that stuff"

Green, Abolitionist

"I am not saying that is true of everyone and I am not going to be the patronising guy who is like 'well actually you are telling me that you have chosen this but I know better about your life'"

Shuker, Abolitionist

"I think if you take lived experience as an important reference point, which I always have done, you are never in a situation where you can have closure around concepts and ideas..."

Professor Liz Kelly, Abolitionist (PSWR)

Notably, both Green and Shuker's excerpts are phrased in a defensive fashion – as if warding off a counter-framer not immediately present in the interview interaction. I had not raised the issue, or phrased questions in such a way as to intentionally prompt this kind of reaction. Their responses, then, evidence cognizance of broader debate dynamics and the kinds of critique to which abolitionists are subject. In any event, all three excerpts evidence a belief that individual perspectives are epistemically valid. This is particularly true of Kelly whose excerpt, echoing her previous work (see Kelly, 1988), speaks to her belief that women's experiences should not only be listened to and treated as epistemically meaningful, but should guide feminist theory. Furthermore, a significant number of abolitionists expressed an unwillingness to speculate on the subjective perspectives of women selling sex or at the least, a significant discomfort in doing so.

"I cannot speak on behalf of them"

Hardie, Abolitionist

"I can't put words into people's mouths"

VAWG Charity Officer, Abolitionist

"I feel really uncomfortable saying this because I am so conscious, with the other stuff I know it from first hand....I feel very confident as I have first-hand understanding...now you are in an area where I am guessing what women might think.."

Senior Civil Servant, Abolitionist

Here, I would suggest, respondents appeared to draw on the broader normative ethic of knowledge production, alluded to by the PSWR respondents, above. In short, they advanced the proposition that no subject should seek to impose their own perspective onto another. What is notable, however, is that abolitionists were comparatively less likely to suggest that individual experience should necessarily be translated into a right to exercise one's agency. Indeed, whilst abolitionist and PSWR respondents appeared

to agree that individual perspectives were epistemically meaningful, they differed with regard to what normative value should be placed on them. This is something I go on to discuss in sections 7.2.3 and 7.2.4.

In drawing these various framings and counter-framings of the subject together, my work evidences something of a disconnection between the PSWR and abolitionist coalitions. In brief, whilst PSWR advocates suggested that abolitionists disregard and dismiss the validity of individual subjectivity, abolitionists appeared to represent individual subjectivity as meaningful – at no point suggesting that it reflected something other than a valid reality. At this juncture I would like to pause and consider a handful of practical/theoretical explanations for this disconnection. It is, for instance, entirely possible that ‘false consciousness’ is used to explain women’s involvement in prostitution by abolitionists not included within the scope of my research project. Such chance avoidance would seem curious, but nonetheless tenable. Alternatively, PSWR advocates might have been fighting straw feminists (Payne, 2012) – critiquing the lingering shadows of an abandoned argument, or common trope. Or, perhaps, abolitionists were cognizant of potential critiques and modifying their responses accordingly – a position which evidence of discursive defensiveness would support. Indeed, as discussed in Chapter Eleven, the contentious and fraught relationship existing between the PSWR and abolitionist cohorts seemed to influence the substantive content of debates, e.g. by limiting the exchange of ideas rendering some topics off limits. The notion, then, that respondents might possess a less than up-to-date perspective of their opponent’s position - or be inclined to modify their stance to resist critique - would not be beyond the realms of possibility. On the other hand, it is possible that PSWR respondents were engaged in a *différend* (Lyotard, 1989): that they were assessing the abolitionist position by reference to their own framing of prostitution, and not by reference to the framings entertained by abolitionists themselves. Sabatier (1988) labels this the ‘dialogue of the deaf’ (p.155) – a consequence of advocacy coalitions effectively talking ‘past’ one another. Put plainly, in promoting their framing of prostitution, PSWR advocates relied on the contention that the epistemic validity of an individual’s lived experience created a normative obligation to value the expression of agency, whilst abolitionists did not (a point I explore in more depths below). However, if PSWR respondents understood all arguments by reference to their own representation, then it would follow that the most straightforward way to undermine the expression of agency (e.g. involvement in prostitution) would be to undermine lived experience (e.g. via false consciousness). I would speculate that all four explanations play a contributory role: that PSWR respondents are accurately reporting on a material phenomenon (discourses of false consciousness) but that they are – as a consequence of lowered exposure to counter positions, and the holistic application of their own interpretivist lens – representing this phenomenon as more pervasive than it is.

In any event, and in more substantive terms, the findings explored above demonstrate that respondents from both coalitions, interpreted/represented the individual perspectives of women involved in prostitution, as epistemically valid and/or meaningful, e.g. as valuable forms of knowledge. It is difficult to say, however, what ideological macro-discourse this position draws on – for whilst liberalism is often associated with narratives which award epistemic primacy to individuals (Driscoll & Krook, 2012; Topper, 2001), so is much feminist work, liberal and otherwise, as discussed in Chapter Three (Kelly, 1988; Stanley, 1990). I have a strong sense that hegemonic narratives of liberalism play a role, if only because so much extant literature represents liberalism as a dominant discourse around which much prostitution debate is organised and fought (see Beran, 2012; Meyers, 2010; Miriam, 2005; Pateman, 1983).

With that said, the apparent significance of this consensus should be understood by reference to how respondents contextualised their representations, and – as intimated – what normative implications they

felt such representations had. In short, and as intimated, whilst PSWR respondents framed respect for individual perspectives of women as creating an obligation to value agency, abolitionists were more likely to discuss such issues in relation to developing nurturing/respectful relationships with women who sold sex, whilst continuing to oppose the illicit sex trade. In the latter half of this chapter, I discuss the way PSWR and abolitionist respondents – when discussing policy proposals – diverged regarding the rhetorical centrality they awarded to the epistemic validity of subjectivities. In what follows, however, I explore whether or not respondents believed socialisation played any role in forming women’s subjective positions. Whilst socialisation would generally be understood to displace the authorial subject, insofar as it is commonly believed to effect cognitions (Bourdieu, 1977; Phoenix, 2005; Topper, 2001) – and might therefore appear irrelevant given respondent contentions that lived experiences are epistemically valid – related findings bear investigation for reasons which should quickly become apparent.

7.2.2 Socialisation

Respondents from both advocacy coalitions were *broadly* willing to accept the possibility that externalities were internalised by subjects; that social forces, trends and experiences played a role in shaping or forming consciousness:

“Socialisation plays a huge role, we are all socialised in different ways, but in gender specific ways.”

VAWG Charity Officer, Abolitionist

“And so I kind of do think that there is a socialisation which implies – and it is quite often implicit – that the role of a woman is to please a man sexually rather than please herself sexually”

Fiona MacTaggart MP, Abolitionist

“We have all seen things probably – even if it was, I don’t know, even if it was our show pony... having to be taken away – I am talking about a rarefied, privileged life – we are all products of our environment, and yes what you are talking about is this large scale influence on little girls. And of course I am... on girls and women... and the emergence of the ubiquity of lad culture and I grapple with this one all of the time, all the time”

Perry, PSWR

So whilst the concept of *false consciousness* was either actively dismissed or not mentioned at all, respondents did seem to understand women in prostitution as products of socialisation, more broadly construed. Here, then, respondents seemingly rejected the liberal notion of an internally atomised individual, and subsequently embraced a contention central to much critical theory – namely, that social, cultural and political contexts influence/form a person’s internal world. It is important to note, though difficult to capture, that the abolitionists I interviewed seemed marginally more willing to engage positively with the concept of socialisation than their PSWR counterparts.

However, this broad acceptance of socialisation was, more often than not, qualified by the suggestion that *choice making* remained unrelated to the internalisation of externalities. The proposition that the decision to sell sex might be somehow connected to the effects of social influence, was treated as disquieting. This was true of abolitionists and PSWR advocates alike:

“So I do think that there is an aspect about this which is about broader social phenomena but actually the broader sexualisation of women that makes it really very, very hard. And it has got to be an aspect of it... but I say “well you know there is this broader socialisation which means that you had no choice whatsoever” I would be quite rightfully shot down”

Shuker, Abolitionist

“So just because we are products of our environment and some of our little girls sadly want to grow up, some of them, to be Princesses and some of them want to grow up being My Little Ponies doesn’t mean that they then internalise ‘well it is ok, I will just become a prostitute then’... there is no correlation with that.”

Perry, PSWR

Thus, respondents were broadly willing to accept the idea that socialisation played a role in subject formation, so long as such socialisation was not viewed as instrumental in decision making. With regard to choosing, then, respondents appeared to adhere to a more liberal notion of the self – as at least partially pre-social. Here, then, they diverge from a more deterministic conceptualisation of socialisation. It is possible that their positions reflect the work of relational autonomy theorists, Meyers (2014) and Christman (2001) (as discussed in Chapter Two). These theorists argue that whilst subjects are inherently social, they are able to access an intrinsically authentic part of themselves when seeking to understand and govern their lives. Alternatively, respondents might have been entertaining a number of complementary and contradictory beliefs. Here, then, a tendency towards individualism might coexist with a more critical theory of the self – with the latter ordered by the former, giving way when contradiction occurs.

7.2.3 Choice

Thus far, I have explored the way PSWR and abolitionist respondents understood the individual perspectives of women selling sex, as well as whether or not they felt socialisation played a role in subject formation. With regard to the latter, I concluded that whilst respondents were broadly inclined to represent the subject as the product of socialisation, they were adamant that a subject’s choice making capacities remained causally unrelated to these processes. In this section, I seek to explore the matter of choice in more depth. Moving away from questions regarding the internalisation of externalities, I discuss externalities more broadly - exploring whether or not respondents primarily problematized the straightforward and tyrannical removal of choice or whether, alternatively, they framed more diffuse influences and coercive powers (be they interpersonal or otherwise) as problematic. What should become evident is that PSWR respondents and abolitionists did not differ profoundly with regard to their basic conceptualisations of choice as it relates to externalities, or in their perceptions of the *kinds of* choices made by women selling sex. Rather, respondents disagreed regarding the material prevalence of certain choice types, as well as their normative implications with regard to prostitution. I begin here by addressing PSWR conceptions of choice, before moving on to explore abolitionist positions.

A number of PSWR coalition members expressed the belief that if two capable and consenting adults wished to enter into a contract regarding the sale of sex, then they should be allowed to do so:

“So where you have got, in effect, an agreement by two consenting adults – to me, anyway – that is absolutely fine”

Davies, PSWR

“I would go back to the point of view that if an adult conversation takes place and agreement is reached for the performance of sexual service, whatever it be, between two

consenting adults – forget the genders as well – then that is not a space within which either the moral gang or in fact the law should be operating”

Armitt, PSWR

Here, respondents appeared to draw from the liberal discourse of contractarianism, which posits that a choice should be deemed legitimate if, and when, it is made by an adult who has mental capacity and is free from immediate (interpersonal) control (Davidson, 2008; Ells, 2003; Miriam, 2005; Pateman, 1983). As discussed within Chapter Two, contractarianism has been roundly critiqued for failing to account for the effects of socio-cultural contextualisation, and the power relations which permeate every strata of society (Benedet, 2013; Miriam, 2005; Pateman, 1988). Through the lens of these critiques, Armitt’s urging that we ‘forget the genders’ of those involved in prostitution, would be interpreted as an invisibilisation of the mediating influence of asymmetric positionality and power relations. What is notable, however, is that neither respondent represented liberal contractarian interactions as the universal fare of prostitution. In addition, neither respondent relied solely on the tyrannical to problematize choice within the illicit sex trade (as one might expect of an adherent to contractarianism). For instance, Davies, PSWR, expressed the belief that choice would be somehow inauthentic if it were “born out of sense that there (was) no alternative”, whilst Armitt, PSWR said:

“I think it is very, very difficult when you are looking at people who are being driven by desperation, I mean it doesn’t feel morally right and it doesn’t feel like a situation that you would want a member of your family to be in.”

These problematisations of constraints which transcend the straightforward removal of agency, diverge from a strictly contractarian interpretation of choice - which emphasises, above all else, the isolated rationality of an unencumbered liberal subject (Ells, 2003). And indeed, this tendency to contextualise the subject, to see her as embedded within a network of constraints which surpass the explicitly coercive, was apparent throughout nearly all representations promoted by PSWR advocates. To illustrate, here a respondent expresses a related position in abstracted terms:

“(Choice) is always contextual, and it is always around what structures are in place, structures you might know are in place or you don’t know are in place. The structures that you can navigate and you can’t navigate.”

Scot-Pep Board Member, PSWR

PSWR respondents, then, largely embraced the idea of contextualisation and its potentially influential impact on the exercise of choice. They did not frame women in prostitution as the atomistic individuals of liberalism, but rather as the contextually mediated subjects imagined by some feminist social theorists (Nussbaum, 1998). But PSWR respondents *did not* go on to echo feminist theorists such as Pateman (1988) or Miriam (2005), who problematize prostitution on the grounds that a woman’s contextualisation within conditions of gender inequality necessarily undermine the validity of selling sex. Rather, they framed contextualisation as relatively *normatively* inconsequential, insofar as they understood prostitution to be acceptable/desirable:

“Yeah I think that it can be more complicated such as limited choices and the labour market, you know like one sex worker I know said that she started selling sex because she was working really long days on minimum wage in a factory and it was a fish packing factory, and she stank and she was working such long hours that she couldn’t have a social life. She went to sex work and now she gets to travel the world and she loves it, you know, so obviously her choice is partly driven by another awful choice... but I still...I don’t think that is a problematic choice because we all make those choices, you know.”

Feis-Bryce, PSWR

Here, then, Feis-Bryce echoes the position promoted by more moderate PSWR scholars, such as Nussbaum (1998), as well as more moderate abolitionists, such as Overall (1992) – namely, that evidence of a contextually constrained choice is not, in and of itself, evidence enough to problematize prostitution. Building on this, some PSWR respondents represented some contextually constrained choices as problematic - but either rejected the proposition that this afforded grounds for the problematisation of sex selling in general, or suggested that decriminalisation would ameliorate related ills.

Feis-Bryce, PSWR: Choice is definitely complex. Like, some choice where it is problematic I would say is street work, I would suppose, and again I don’t think that it should be criminalised or I don’t think that people should be forced to exit because I simply don’t think that works, but if you were to be objective most of the people selling sex on the street have chosen it as an alternative to shop lifting or alternative to theft.

Hewer: Or poverty.

Feis-Bryce: Or poverty, yeah. So they are making a sort of choice but I do think it is a problematic choice”

“I think...in terms of the choices we have to make around how to work are particularly problematic. As in any other industry, to be able to use a manager for safety for example or to be able to work with friends to avoid isolation, these kinds of choices are all made within the structural constraint of the law here”

Scot-Pep Board Member, PSWR

Notably, abolitionist representations of choice mirrored those advanced by PSWR respondents. They, too, sought to promote an understanding of choice which framed it as a socio-culturally and economically contextualised process, but were less positive regarding the implications of this framing. Most stressed that choices made within a constraining context were problematic and that prostitution should be problematized on those grounds.

“Absolutely women choose to enter prostitution. In the same way that the man in the Congo chooses to sell his kidney to get to the UK, in the same way as women choose to eat breakfast cereal for their dinner so that their children can have a proper cooked meal. Some women will choose it because they think it is a quick fix and they need money quick”

Bindel, Abolitionist

“We all have the capacity to act as human beings but what I talk about is our space for action and women and girls have a much more narrow space for action than men and boys and the more that some of those shit things happen the less space you have to act in, you still have some, but to argue that this is somehow a freedom rather than a constrained context where you do the best you can in that context but actually you would prefer to be in a different context”

Kelly, Abolitionist

As discussed in Chapter Two, arguments such as these have been disparaged on the grounds that they implicitly rely on a unique, and normatively grounded, problematisation of sex. Should we, a critic might

ask, ban eating cereal for dinner so one's child can have a proper meal? And if not, then why should we ban transactional sex engaged in for the very same reason? I explore the way abolitionists addressed these critiques in due course. In any event, despite broadly problematizing contextually constrained choice as it pertained to prostitution, nearly all abolitionist respondents went on to express the belief that some women could make a relatively unproblematic choice to sell sex (insofar as it was not *excessively or problematically* influenced by coercive contexts).

“Hewer. So you think it is possible to freely choose, it's just that most...

Shuker, Abolitionist. I do, I think it is rare. I suppose that is the way I would characterise my view.”

“I know there are some women, I read a report recently, who quite like the work they do. I suppose it is their choice in a way - but I think there are a lot more vulnerable people than the ones who enjoy the work.”

Lord Jones of Cheltenham, Abolitionist

I would suggest that this is a notable finding, insofar as it evidences that this cohort of abolitionists *did not* entirely justify their objection to prostitution on the grounds that it was never truly chosen. This arguably disrupts understandings of the feminist debate more broadly, which so frequently frame choice as a key discursive battleground for related framing contests (see Comte, 2013; Weitzer, 2010). With that said, most abolitionists did qualify their acceptance of the above position by explaining that they understood women entering into prostitution through true choice to be rare. This provides a space within which to discuss a significant point. Very often abolitionists and PSWR respondents differed not with regard to precisely how they understood something in theoretical terms, but with regard to how they represented the prevalence of certain things. Whilst abolitionists viewed relatively free choice as rare within prostitution, PSWR respondents were more likely to represent it as relatively common. Before moving on to discuss how abolitionists problematized prostitution without undermining women's ability to choose, I should note that whilst discussions of third party coercers occurred throughout my interviews – with all respondents – they did not represent the central thrust of policy-actor arguments regarding curtailed choice. Here, then, respondents differed from the policy documents studied above.

7.2.4 Public Policy

Abolitionists did not, as discussed, entirely predicate their objection to prostitution by reference to individual choice or straightforward lack thereof. This begs the question, if abolitionists believed that women could and did choose to sell sex, on what grounds did they object to the industry in general? Interestingly, significant numbers (n=9/12) of abolitionist respondents were inclined to argue that the *purchase* of sex should be criminalised for public policy reasons: that the desires and choices of individuals should be constrained for the benefit of an expansive public interest (Ashcroft, 2004; Giles, 1994). They argued this either as they felt the commodification of women's bodies was normatively undesirable and harmful to society at large:

“And for me it is the same argument as, in terms of public policy, you don't allow people to buy body organs and I could easily give up a kidney and it would be worth a good 20 grand to you I would imagine – if you were dying of a kidney disease – and arguably that is just a market of exchange between equals, so why do we say no? We say no because as a matter of public policy we think it is wrong and I would say that it is exactly the same thing about women's bodily integrity”

Senior Civil Servant (Retired), Abolitionist

Or, more commonly, because they believed that states should create policy for the most vulnerable and constrain the choices of the more privileged, if doing so served a higher purpose:

“But my response still would be that when we make law and policy we should make it – we are not just making it for those who are... the most privileged or the most able or the most sorted, we make it for those who are most vulnerable. So this is an institution that no doubt has lots of different, well it is a market at the different ends and involves lots of different people, so I think we need to make policy on the grounds of women who are in a really, really bad situation and can’t exit and who are being abused and who are at risk.”

Green, Abolitionist

Hewer: “I mean would it be fair to say – I mean I think what is coming through from other people is that we legislate from the most vulnerable rather than the most power.”

Smith, Abolitionist: “Absolutely. We don’t only legislate for them, we enforce for them as well”

Relatedly, there was also a sense among some respondents that the field of prostitution was inherently relational – and that the free choice of one woman could contribute to a system which constrained, or eliminated, the choices of other women.

“What (is) the correct public policy response when you have some people saying ‘well this is my legitimate choice’ but that legitimate choice fuels a trade that takes away choice from other people. And I suppose I am burdened, I feel skewed towards protecting those who have the least choice even if it means restricting the rights of others to do that”

Shuker, Abolitionist

“I think that individual purchase has consequences. I don’t think that you can separate their relationship from the context within which it occurs and I think the context within which it occurs creates a violent account, a super violence which effects all women. So I don’t – while they can say, ‘I chose it and I ended up with a hundred quid and he ended up having been pleased, what has that got to do with you?’ – Well, the point is that every action is in the context of the wider society - it is not completely separate from it. These actions create a context within wider society which is fundamentally exploitative and oppressive towards women and very often violent towards women and so I think that it is and I don’t think that is fine.”

MacTaggart, Abolitionist

I find this particular portrayal of the illicit sex trade intellectually striking, when viewed through a theoretical lens. It is arguably an understanding of prostitution - as an industry - which relies on somewhat sophisticated conceptions of relationality, positionality and the interconnected character of various systemic levels (e.g. micro, meso, exo and macro). In this regards, it appears to echo Bourdieusian sociology (Bourdieu, 1977; Bourdieu & Wacquant, 1992), the work of vulnerability theorists (Butler, 2016; Fineman, 2008; Philo, 2005), and other critical theories of (dis)advantage (Ahmed, 2014; Crenshaw, 1991; Rose, 1997). With regard to Bourdieusian sociology, I would argue that women selling sex are represented as engaged in the various production and reproduction of the conceptual social field of prostitution; and as possessed of a capital portfolio which arbitrates their relative positionality within that field. Rose (1997) defines positionality as an idea which speaks to “facets of the self ... articulated as ‘positions’ in a multidimensional geography of power relations” (p.308). Such positions mediate relationships (between the field and the self, as well as the self and others), experiences consequent to those relationships, and the ability to reproduce/disrupt social spaces. Substantively, the position a subject keeps within the multidimensional geography of power relations, as described by Rose, will shape her health, her mental wellbeing and her ability to make relatively

unconstrained life choices. A woman whose “facets of the self” position her favourably within the social hierarchy, may find the structures of prostitution amenable to the creation of a good life, but a woman positioned less favourably might find the same structures a dangerous affront (Ahmed, 2014).

What is important to retain here, is that structures negotiated by the well positioned, and disadvantaged, are one and the same. That I live in a world which actively favours my middle class and heterosexual existence, necessarily means that another person lives in a world which disfavours their gay and working class existence. That is how advantage and disadvantage functions: they are two sides of the same coin. This is an argument made by vulnerability theorist Grear (2013) who argues that an individual’s relationship to advanced global capitalism will mediate their vulnerability in ways which coincide with their positionality. Extreme poverty and incredible wealth, she argues, are co-symptomatic – the system is designed to promote the survival of some at the expense of others. And this is the crux of relationality – our positions and vulnerabilities are not inherent but created, sustained, ameliorated or deteriorated, by our interconnectedness with, and dependency on, social institutions and one another. In turn, our interconnectedness arguably generates certain ethical obligations. As Butler suggests, “the postulation of a generalised precariousness that calls into question the ontology of individualism implies....certain normative consequences” (2016, p. 33). In short, what should the individual be willing to give up in the name of the collective? The extremely poor will remain that way until the extravagantly wealthy redistribute their winnings – though the game is not ‘zero sum’, it cannot leave its players unmoved. In more relevant terms, is the freedom to sell sex worth the systemic ills of prostitution?

Overall, this is a feminist understanding of prostitution which can be enriched by considering the theoretical precepts of intersectionality (Crenshaw, 1991): whilst the disadvantages of gender may be favourably mediated by a sympathetic position within the systems of class or ethnicity, they may also be compounded by an unsympathetic position. Thus gender is not represented as a univariate cause of oppression but can nonetheless retain its explanatory significance with regard to prostitution. It is worth noting - as alluded to by Butler (above) - that this is a representation which both offends, and is offended by, liberalism. To present the individual as unrelated to the social world, and a result of their own isolated endeavours, is to make the individual responsible for no one but themselves. To present the individual as entangled in a web of relations is to broaden the scope of responsibility and erode the morality of actions taken in the name of individualism (e.g. the free choice).

The portrayal of the sex industry I articulate above, arguably avoids reliance on homogenizing or essentialising narratives of prostitution which depend on universality in experience or situation (Agustin, 2001; Kapur, 2002). It does not, in short, require that all women enter into the sex trade as a consequence of severely delimited choice, nor does it demand that all women be understood as similarly oppressed by socialisation. By emphasising positionality, it allows for heterogeneity and variance, and by emphasising relationality (over isolation) it displaces individual experience and refocuses attention on the social field. Prostitution, through this lens, is problematic not because every commercial sex encounter is troublesome, but because the structures which it sustains, and which sustains it, are damaging to those who embody facets of the self which result in poor positioning. According to this view, the macro is not reducible to the micro, and the micro cannot be *entirely* accounted for by the macro. With that said, I am disquieted by the possibility that such a perspective reduces the (positive) lived experiences of some women as meaningful *only insofar* as they relate to the (negative) lived experiences of others – and thus engages in something of an erasure. This, in turn, seems to speak to broad philosophical questions – alluded to by Butler (2016)- regarding how we conceive of responsibility when we eschew the normative framework of individualism.

For what can the subject, embroiled in the social, be held accountable? This is a matter about which I am deeply ambivalent, and a question of moral philosophy which falls beyond the purview of this thesis.

7.2.5 The distinctness of sex

In an alternative vein, rather than problematizing prostitution by citing public interest concerns, some abolitionist respondents relied on representing selling sex as a distinct activity – one a subject could, but should not, choose. Importantly, such abolitionists did not suggest that a woman's ability to choose had been somehow compromised but, rather, argued that prostitution could not be conceived of as a *legitimate* choice. This argument was often achieved through comparison – a process whereby something generally considered to constitute a valid employment choice was compared with the choice of selling sex:

“Well there was a young woman we worked with and she described, because we talked about this, and she said ‘there is a difference between cleaning toilets and being the toilet’... what I (am) trying to say is what this woman was saying, there is an entirely different dynamic going on than you being effectively used and abused and sullied and pissed on, and you cleaning up some of that mess”

Harvey, Abolitionist

“There is all sorts of things about exchange of bodily fluids or health and safety protection in relation to bodily fluids in every kind of employment where that might happen, they are not going to do that in prostitution, it is impossible in prostitution....”

Kelly, Abolitionist

In engaging in this process of comparison, abolitionists framed ‘employment’ as a legitimating paradigm against which an activity could be assessed to ascertain its relative acceptability. This functions as a counter-framing of the PSWR position that selling sex is legitimate work, and that selling sex is legitimated by being work: it meets this argument on its own terms and strives to refute it accordingly. In keeping with this, PSWR advocates similarly engaged in a process of comparison, legitimating prostitution by comparing it to other kinds of employment:

“We also compare it to other jobs which a lot of the.....you have to look at it that way, you can’t separate it from the rest of the world, because it is not a unique case in that way.”

Watson, PSWR

“Like nursing for example, as much as it is in terms of sex work. So when we talk about, well how much choice have you to be a nurse, when its 95% women who are in nursing, and they talk about that being an extension of female roles. Whereas within sex work, no one talks about it in that sense.”

Scot-Pep Board Member, PSWR

With regard to the topic of sex more generally, there was a sense amongst some PSWR advocates, that people were unduly upset about the notion of sex and its implications. This was framed as a faintly ridiculous position to hold.

“Because it is sex. Because it is about sex. Sex is very taboo – it is still a very funny topic, I think it is because it is about sex”

Ayres, PSWR

“And the people who are exorcised by prostitution, by sex work, by and large I think are very exorcised by sex....”

Perry, PSWR

Here, then, respondents drew from and contributed to broader feminist debates regarding the meaning of sex, as discussed in Chapter Two. The abolitionists cited above somewhat echoed (albeit circuitously) the work of theorists such as Radin (1987) and Pateman (1983, 1988), who suggest that property of the self cannot, and should not, be viewed as interchangeable with other forms of property. By problematizing the transmission of fluids from person to person, these respondents stress the inescapably corporeal nature of sexual intercourse, and suggest that this corporeality distinguishes prostitution from other forms of work. The PSWR advocates, on the other hand, echoed theorists, like Nussbaum (1998), who suggest that such distinctions are premised on moralistic and contingent socio-cultural constructions of sex.

7.3 Conclusion

In this chapter I have explored interpretations and representations of subjectivity and choice, as such issues pertain to women selling sex. I began with an analysis of the four policy-documents selected for study, before moving on to discuss respondent articulations. I concluded that the policy documents analysed, relied heavily on representations of women in prostitution as essentially without choice. I went on to evidence the way such policies explained curtailed choice by reference to third-party coercers (rather than more diffuse social forces). I then went on to show that, in the absence of interpersonal coercion, women were framed as largely responsible for their involvement in the illicit sex trade. This, I suggested, evidenced both somewhat contradictory thinking, and a largely neoliberal conception of subjectivity and choice.

I went on to explore interviewee representations and concluded that, whilst respondents favoured narratives of internal individualism, they preferred a more relational understanding of subjecthood when it came to the role of externalities in mediating choice. In addition, I evidenced a fairly significant degree of consensus amongst PSWR and abolitionist coalition members – at least with regard to fundamental conceptions of the subject's internal and external worlds. This, I have suggested, *somewhat* disrupts some previous academic commentary, and indeed PSWR respondent understandings, regarding the tenor of prostitution debates. Disagreements, then, were premised not on the essential character of the subject, but rather on: whether or not the epistemic validity of individual perspectives necessarily implied agency should be observed; the material prevalence of certain kinds of choice (e.g. free, curtailed); and the policy significance of choice/agency (e.g. formative, incidental). With regard to the latter, whilst PSWR respondents felt women should necessarily be allowed to express their lived perspective through the exercise of their agency, abolitionist respondents did not. Indeed, abolitionists suggested that the expression of agency should (in some circumstances) be curtailed, either because it was in the public interest, or because bodily autonomy was inviolable.

Finally, this chapter evidences the existence of an ambivalent relationship between policy documents and policy-actors. Both view choice as a matter worthy of consideration and both frame women as able to make choices, but as routinely faced with a limited array of options. But whilst the former dedicated considerable attention to the determinative impact of third-parties, the latter paid more significant regard to the role of social forces (e.g. poverty). And in more abstracted terms, whilst the former favoured micro and mesosystemic explanations for curtailed choice (reflecting a (neo)-liberal ideological macro-discourse), the latter favoured the problematisation of macro-systemic causality (favouring a more critical theory).

Chapter Eight - Prostitution and Gender

In this Chapter, I explore what explanatory value policy-actors and documents believed gender to possess, with regard to the (re)production, organisation and perpetuation, of the illicit sex-trade. Though precise figures are difficult to generate (given the frequently hidden nature of the population under study), most academic commentators agree that women are more likely to sell sex than their male counterparts, and that a significant majority of those buying sex are men (Balfour & Allen, 2014; Overall, 1992). As intimated in Chapter Two, abolitionist feminists confer significant explanatory value to the social, cultural and economic implications of gender: Overall suggests that “prostitution is dependent both for its value and for its very existence upon the cultural construction of gender roles in terms of dominance and submission” (1992, p. 719), whilst Miriam argues that a “legitimized and entrenched relation defined by men’s right to demand access to women is the central conception of male power at stake for the feminist movement to abolish prostitution” (2005, p. 13). Conversely, PSWR academics have a more ambivalent relationship with the concept of gender. Sex positive feminists tend to view the continued criminalisation of prostitution as part of a broader project of control over women’s sexuality – and consequently frame the sale of sex as a progressive, transgressive act (Comte, 2013; Ericsson, 1980; Showden, 2012). On the other hand, other PSWR advocates argue that gender plays a limited role in explaining prostitution, suggesting that the existence of transgender and male sex sellers destabilizes the material basis for gendered framings (Brooks-Gordon, 2010). Furthermore, some Marxist feminists suggest that women’s unequal access to material resources is mediated by, and mediates, their involvement in illicit sex industries (Davidson, 1998). Within academic debates, then, the explanatory value of gender, within discourses of prostitution, is contested.

Here, as before, I begin by exploring how the four policy documents, interpreted and represented gender, with regard to prostitution. I suggest that these documents silence possible problematisations of gender inequality - either by highlighting the gender diversity of those selling sex, or by acknowledging gender asymmetries whilst omitting to explicitly engage in a problematisation of them. Here, as before, I heed Bacchi’s (2012) recommendation that we explore ideology existing in the unsaid. I then move on to discuss the manner in which the policy documents represented the men who buy sex. Here, I disrupt some extant scholarship (see Sanders, 2009) on the topic by arguing that recent policy incarnations *do not* centre on problematisations of male sexuality.

Thereafter, I go on to explore how, and to what degree, respondents - from both advocacy coalitions - understood gender, and gender inequality, to be a social, cultural and political phenomenon. Here, then, I primarily focus on respondent understandings of contemporary gender ideologies, sex role socialisation and their material effects (e.g. the systemic objectification of women in the media, the structure of interpersonal relationships). I then move on to discuss how respondents, from both coalitions, understood the instrumentality of economically determined gender inequality, with regard to prostitution. Thereafter, I discuss the way respondents represented men who bought sex. Here, I discuss how respondents viewed sex buyers in broad terms, what explanatory value they awarded gender with regard to sex buying, and how they understood the formation of male subjectivity. After drawing these strands together, I conclude that debates regarding the relative instrumentality of gender, with regard to prostitution, represent a key site of contention for PSWR and abolitionist respondents.

8.1 Documentary Analysis

The concept of gender plays a telling role in all four policies analysed. In summary, across all such documents, the asymmetrically gendered nature of prostitution is variously underplayed, ignored and naturalised through silence. To illustrate, both *Paying the Price* and *The Review* explicitly represent sex selling as an activity performed by male, female and transgender individuals, as well as largely genderless children and young people. For instance, *The Review*, emphasises the need to “acknowledge the diversity of people involved in prostitution, taking account of men, transgender people, migrants and BME groups” (p.3); whilst *Paying the Price* uses the term “people involved in prostitution” explaining that “this should be taken to mean both men and women unless otherwise specified” (p.10). Here, then, prostitution is framed as a largely de-gendered phenomenon. Perhaps more notable, however, is that - though both documents express awareness regarding the disproportionate number of women selling sex - neither present such asymmetries as remarkable or worthy of exploration. *Paying the Price* cites evidence that, among young people in prostitution, there is a ‘female to male ratio of 4:1’ (p15), but offers no explanation as to why this might be. Similarly, *The Review* recognises that the services it appraised within its pages disproportionately deliver assistance to women (p.7), but provides no indication this is considered a matter of political significance. Building on such observations, it is worth noting that, *The Coordinated Strategy* explicitly refrains from addressing male prostitution on the grounds that it is uncommonly found on streets, and rarely involves drug use/third-party coercion. But beyond these preliminary descriptions, the policy makes no attempt to offer explanations for these disparities.

I am unequivocally supportive of policy discourses which acknowledge the diversity of those who sell sex. Some such discourses, I would suggest, evidence the kind of intersectional disposition promoted by theorists such as Cho and colleagues (2013), insofar as they disrupt univariate explanatory narratives and provide a theoretical space within which a discussion of multidimensional subjecthood and positionality can occur. And on a more practical level, I understand that only through explicit recognition can the problems associated with all forms of prostitution be understood/addressed. With that said, as alluded to in Chapter One, I am troubled by the use of inclusivity to individualise, and invisibilise, important and meaningful social trends. In short, I am of the opinion that explanatory narratives of prostitution - which provide some insight into why women seem considerably more likely to sell sex than men or, why the vast majority of sex buyers are male – is required. When you suggest that 80% of those selling sex are female, gender is significant.

Notably, *Paying the Price* does make fleeting reference to the significance of gender relations, when it claims that prostitution might have an effect on “the attitudes of men to women, and on gender equality more generally” (p.17). But, again, the document provides no account of why, how or when it believes such an effect might occur. In addition, as the causality seems to be framed as unilateral, this invocation of gender inequality does little work to problematize the asymmetries within prostitution itself. I would suggest that this general failure to problematize the disproportionate number of women selling sex – this failure to frame asymmetries as remarkable, or suggest that they could be otherwise - risks naturalising a highly contingent phenomenon. To paraphrase Benedet (2013), the desire to buy sex is not something which has been randomly ascribed to men as a gender, but rather reflects normative constructs of men’s sexuality and a pervasive belief regarding their need/right to satiate their desires (Pateman, 1983, 1988). I would posit that, in remaining silent on these matters, the policy documents reflect masculinist discourses – discourses so

dominant they require no explanation. As Bourdieu argues: “the strength of the masculine order is seen in the fact that it dispenses with justification: the androcentric vision imposes itself as neutral and has no need to spell itself out in discourses aimed at legitimizing it” (2001, p. 9). Furthermore, and as intimated, in denying gender’s instrumentality, the policies arguably contribute to a (neo)-liberal framing of prostitution, insofar as they individuate subjects, detaching them from their socially mediated positions, and explaining their involvement by reference to something microsystemic (e.g. individual pathology) rather than something macrosystemic (e.g. structurally ingrained gender inequality). This position is arguably supported by the policy analyses proffered in Chapters Six and Seven.

Tackling Demand’s approach to gender is also theoretically notable. Somewhat departing from form, this short policy makes no attempt to explicitly discuss gender distribution, but does noticeably oscillate between referring to sellers of sex as ‘people’ and ‘women’, and buyers/third parties as ‘people’ and ‘men’. There is no discussion, however, of why such gender designations are made - the gendered nature of prostitution is once again naturalised (Fairclough, 2010). Despite this, *Tackling Demand*, showcases the most pointed policy attempt to engage with the relationships existing between buyers and sellers of sex. As discussed in Chapter One, it recommends that men be criminalised for buying sex from women subject to coercion/force. The grounds on which it makes this recommendation is revealing. In brief, men who buy sex are principally accused of *inadvertently perpetuating* (through consumer demand) an industry which was bad before they arrived - an industry for which they must only take partial and indirect responsibility. For the most part, the document frames prostitution as a problem of third parties – coercive partners and pimps who force the women they control to have sex with unwitting, unknowing, men. Here, then, it relies on the hyper-masculine criminal others alluded to by Phoenix (2005). By way of example, *Tackling Demand* claims that “to truly tackle the problem of commercial sexual exploitation more needs to be done to target those that contribute to the demand, those that pay for sex” (p9). Here, then, the principle problem is framed as ‘commercial sexual exploitation’, e.g. coercive relationships, and not an inherent facet of sex buying itself. In addition, this kind of phrasing creates a degree of discursive separation between buyers of sex and the ‘problem’ of prostitution - men buy sex which creates demand which encourages other criminal men to do criminal things. Similarly, very significant emphasis is placed on the evils associated with the industry – e.g. drug abuse (p18) and domestic violence (p.8) – but nothing is said of the basic dimensions of the industry itself: the sale and purchase of sex. In short, men ‘create demand for prostitution by buying sex’ (thus indirectly maintaining the above) and are never impugned for, simply, demanding sex from women who have been coerced into selling it.

The forms of redress proposed by *Tackling Demand* support this analysis. It recommends educational campaigns focusing on the conditions of prostitution, but at no point proposes that prostitution in its simplest form be made the subject of condemnation. It is suggested, for instance, that “a key part of our approach to tackling demand needs to be about raising the awareness of sex-buyers about the extent of trafficking for sexual exploitation” (p16). In addition, these recommendations configure the problem of demand as poorly informed sex buyers (Carline, 2011), who would make different choices if they were aware that the industry they (inadvertently) supported was saturated by questionable/criminal practices. Here, again, it fails to directly problematize the interpersonal act of buying sex – the ideologies which underpin such an act and the social and individual consequences of doing so. It seems remarkable that at no point does *Tackling Demand* discuss how purchasing sex from a woman (and in this context a woman subject to duress) might affect her.

Thus *explicit* discussions of both sexism in general, and sexist acts in particular, are omitted from *Tackling Demand*. It is, in addition, worth pausing to acknowledge the irony that men who buy sex appear to be the only subjects framed as existing within a complex web of social relations, functioning beyond their immediate control. This irony is particularly striking given that men are, at least in their maleness, often the cultural beneficiaries of these webs. I would be inclined to interpret such irony as consequent to the influence of dominant masculinist discourses. The issues of *where* 'blame' is attributed, and *who is given licence to ascribe blame* to externalities, would appear to be ideologically salient. Certainly, blame attribution constitutes a principle component of many diagnostic frames – the success of which rely significantly on their narrative fidelity with pervasive cultural norms (Benford, 1997). I would tentatively conclude, then that the narrative promoted in *Tackling Demand* draws from and contributes to, a culture permeated by ideologies of masculine domination – ideologies which make problematizing male behaviour, in any candid or straightforward fashion, somewhat difficult (Goodwin, 2013).

On initial examination, my analysis would appear to disrupt some pre-existing assessments of prostitution policy. I would argue that the contention that problematisations of male sexuality form the backbone of much contemporary prostitution policy (see Sanders, 2009), does not adequately engage with the precise nature of discursive constructions. Evidence of prostitution policy which is either de-gendered, or fails to problematize gender asymmetry, would initially *seem to* disrupt academic suggestions that abolitionist feminists were largely to blame for recent changes in policy (see Brooks-Gordon, 2010; Soothill & Sanders, 2004). With that said, *Tackling Demand* did criminalise certain kinds of sex buying and thus marked something of a material move towards abolitionist feminist objectives. In addition, other policies frame 'tackling demand' (another abolitionist aim) as a key objective (see *Coordinated Strategy*). In addition, and as I discuss in Chapter Eleven, some abolitionists were actually complicit in promoting more watered down frames of male 'demand' – a strategic process undertaken in the hopes of maximising their success in influencing policy. As such, I would tentatively contend that present discourses reflect a plurality of ideologically laden representations, brought together and ordered beneath the auspices of dominant discourses.

8.2 Interviews

Thus far, I have explored the degree to which analysed policy documents framed prostitution by reference to a gendered lens. In what follows, I explore respondent representations of gender, with regard to prostitution. As will quickly become apparent, the instrumentality of gender was a key framing contest between PSWR and abolitionist coalitions. Mirroring the above documentary analysis, I begin here by discussing what explanatory value respondents believed gender had with regard to women selling sex, before moving on to explore respondent perceptions of gender, with respect to men who bought sex.

8.2.1 Women Who Sell Sex

Social and Cultural Gender Inequality

Abolitionist very frequently explained prostitution by reference to social-cultural causes/manifestations of gender inequality, such as gender role ideology, sex role socialisation, and related cultural attitudes understood to create/sustain gendered power asymmetries.

"I think for some women if you grew up on a society which objectifies women, that kind of normalises consumerism broadly but also objectification and consumerism as it relates to women, then I guess that would make it easier to imagine that - I am putting it very

simply now - that that is OK for you and that doesn't necessarily mean that you are vulnerable it means that you are conforming to the way society is."

VAWG Charity Officer, Abolitionist

"We need to help women to understand that prostitution is actually a threat to all of our autonomy, because while men think that women can be treated as a commodity – and that is the real felt experience of the overwhelming majority of women in prostitution – that actually impacts on us all, all of the time as well. Most women don't stop and think about that, why should they, but it is part of what puts women into inferior power positions in society."

MacTaggart, Abolitionist

I would suggest that that this position exists in tension with the discomfort many respondents expressed regarding representations of socialisation as determinative. The alternative is that respondents believed parties to transactional sex accepted, and acted on, gender ideology, following pedagogic and calculative engagements – a somewhat implausible contention. Certainly, most of the critical social theories, surveyed in the early chapters of this thesis, would suggest that the reproduction of dominant ideologies occurs via pre-reflexive socialisation (see Bacchi, 2005; Bourdieu, 2001; Fairclough, 2010; Hee-Kang Kim, 2004; Meyers, 2010; Pateman, 1988). To illustrate, Bourdieu argues that:

"The formative process... which brings about this social construction of the body only very partially takes the form of explicit and express pedagogic action. It is to a large extent the automatic, agentless effect of a physical and social order entirely organised in accordance with the androcentric principle (which explains the extreme strength of its hold)" (Bourdieu, 2001, p. 24)

In turn, I would suggest that this finding supports the contention that respondents entertained a plurality of, sometimes conflicting, discourses – originating from a plurality of ideological spaces. Respondents simultaneously represented women's subjective apprehensions as epistemically primary, but promoted narratives most frequently associated with socialisation – suggesting a seemingly paradoxical commitment to internal individualism, and critical social theories premised on the displacement of the authorial subject.

In contrast, PSWR advocates tended to reject representations of prostitution which problematized socio-culturally caused/manifesting gender inequality. More often than not they premised their objections on the existence of male sex workers:

"I know what you are driving at – and I think it is a nice way to look at it and it would really work if men didn't sell sex but they do. So if it were only something that were done by women, we would be thinking, oh yeah this is interesting because of the whole kind of commodification of relationships sits very clearly within one particular sex. But actually both women and men sell sex...."

Perry, PSWR

Hewer: ...do you think that sex work in general is a gender phenomenon, do you think it comes from concepts and constructs of gender or do you think that is not an important variable in understanding it?

Ayres, PSWR: "No. Not in all respects, because there are a lot of male sex workers as well. I think that is kind of seen as... if you say the word sex worker....people always think of a woman and we kind of have to remind them that we have a lot of men as well"

I find this position logically untenable - though I am, obviously, evaluating such articulations by reference to my own ontological, and broader political, belief system. I refer not to the substantive content of the above excerpts, but the grounds on which related claims are made. The argument that prostitution is not

socio-culturally gendered because men sell sex, is logically analogous to arguments which claim that institutionalised police racism is imaginary because white people sometimes die in custody. According to my epistemology and politics, these inferences are equally fallacious; there *is* such a thing as society, and subjects are necessarily entangled in a web of relationships and dependencies. In turn, I believe that such relationalities and dependencies mediate our existence – often in highly patterned and predictable ways, which speak to our embodied characteristics and the power/privilege they confer. With that said, I also believe that individuals are subject to myriad relationships, each of which mediate, ameliorate and exacerbate one another (Bourdieu, 1977; Crenshaw, 1991). Building on this, I would suggest that individuals are multidimensional and hybrid – determined and voluntary, functioning within a range of nested systems. Relatedly, I would suggest that few, if any social phenomena, could be entirely explained by a univariate analysis (thus the draw of multivariate models, as discussed in Chapter Three) – but that it does not follow that that singular narratives are rendered meaningless. As such, I cannot accept the proposition that - in order for a social theory to be sound - every single act, every micro-manifestation, and granularity, must be accounted for. Strong and enduring trends should be viewed as sufficient. Surely, to argue otherwise, would be to support a highly individuated conception of existence, and to deny the instrumentality of social forces in structuring and mediating lived experience (Baker, 2008; Biebricher & Johnson, 2012; Crenshaw, 1991).

This depiction of the PSWR position ostensibly contradicts that which I offered in the previous chapter. There, I argued that PSWR respondents favoured constructions of the subject as highly contextualised by an array of external social features (e.g. socio-economic disadvantage). Here, I suggest that they rely on a de-contextualisation of the subject. In explanation, I would suggest that in disaggregating data, and speaking to different strands separately, it once becomes evident that respondents entertained a plurality of, *sometimes* contradictory, discourses. In turn, I would tentatively suggest that examples of contradictory thinking might also support Sabatier’s claim that advocacy coalition members, “resist information suggesting that their basic beliefs may be invalid and/or unattainable” (Sabatier, 1988). In brief, it may be that respondents were negotiating a multitude of discourses (pre-reflexively or otherwise) in such a way as to maximise the overall efficacy of their positions, e.g. through amplifying narrative fidelity, or cherry picking favourable narrative elements.

Economically Determined Gender Inequality

Whilst mainly rejecting socio-cultural causes/manifestations of inequality, PSWR respondents did frame women involved in prostitution as disproportionately susceptible to socio-economic disadvantage, as a result of their gender. In turn, they framed such disadvantage as instrumental in structuring women’s routes into, and experiences of, prostitution. Childcare responsibilities, the pay gap and poor workforce access were all cited as ways in which women’s gainful employment, and financial security, were stymied. In turn, prostitution was understood as a method of redress. Here, then, they gendered prostitution. Notably, a number of abolitionists echoed this position, though they tended to situate such articulations within a more comprehensive gender analysis, implicating multiple modalities/dimensions.

“I definitely think it is gendered. I think that the reason why there are more women in sex work is because, you know, sometimes women need more flexible hours, there are less opportunities for women in the labour market, so I think that is why it is gendered”

Feis-Bryce, PSWR

“Women are generally responsible for children, not always but generally, most of our women have children back home, all the migrant women are working to send back...they have all got children back home. So there...and there is a wage disparity but also I know a great number of women who have other professions”

Ayres, PSWR

“The work that women do, or are expected to do, a large proportion of that, it isn’t paid. Now I am not arguing wages for housework, I am arguing however that those jobs that women as the caring sex take on should be shared and should be recognised and we should recognise what value they are to society”

MacTaggart, Abolitionist

There was also a sense that socio-economic disadvantage played an instrumental role in structuring other experiences associated with entry into, and existence in, prostitution. For instance, respondents from the English Collective of Prostitutes spoke of how socio-economic factors aggravated the effects of gendered violence:

“I do feel that the access to material resources, I wouldn’t use that phrase but I will use your phrase, is very key including with... domestic violence and rape and violence generally because if you are the one in the relationship with the less money and the man is holding the money then you are in a much worse situation and you don’t have the option of just leaving”

Watson, PSWR

Here, respondents appear to draw from, and contribute to, intersectional and socialist feminist arguments regarding women’s positionality within the market and its effects (Davidson, 1998; Mooney, 2000). Watson very closely echoes the work of resource dependency theorists who argue that “dependence diminishes women’s capacity to halt sexism, which in turn thrives under conditions of dependence” (Rodríguez-Menés & Safranoff, 2012, p. 597). This, in turn, exposes PSWR respondents to the kinds of critiques levelled at some of these discourses. To illustrate, Atkinson and colleagues (2005) argue that women’s unequal access to material resources, and any consequent experiences of violence, are intelligible only by reference to some form of gender ideology. The market, and state policies regarding workforce involvement, are not pre-ordained/organic, but produced through human action. Therefore, any tendency to favour men’s interests should be understood as consequent to a pervasive commitment to masculinist ideology. To say otherwise, would be to naturalise the maldistribution of material resources. In summary, by failing to simultaneously problematize the formative role of socio-cultural narratives/trends (as discussed above), PSWR respondents’ representations of gender inequality might “fail to... ask why it is that domestic labour is overwhelmingly performed by women or to explore the pre-existing structures of patriarchal attitudes that produced the present gender division of labour” (2000, p. 80). With that said, it may be that such respondents believed gender ideology pertained to markets, and no other form of social interaction. This may, not, therefore be an example of contradictory position, but nonetheless presents a space for deliberation.

Taking a different perspective, I would suggest that arguments which present prostitution as redress for gender-mediated socio-economic disadvantage, run the risk of privatizing an essentially public problem, e.g. asymmetric resource distribution. This, in turn, arguably reflects neoliberal narratives of social exclusion, as identified by Levitas (2004). Levitas argues that contemporary treatments of social exclusion focus less on the maldistribution of wealth, and more on social integration through work. Such discourses, she suggests, ignore the multifaceted ways in which macrosystemic trends (e.g. class and gender) marginalise and exclude individuals from success in the ‘malestream’, whilst simultaneously celebrating the

‘malestream’. In short, a focus on employment as a remedy for social ills, individualises responsibility whilst foreclosing on broader discussions regarding social inequality and its effects. With that said, I would suggest that this matter forms the crux of the double bind, as discussed in Chapter Two (Radin, 1987). It seems entirely possible that PSWR respondents would prefer to counter the privatization of risk management, but in the absence of institutional reform, are presented with little choice but to take what is given.

8.2.3 Men Who Buy Sex

In the previous section, I discussed how respondents represented gender (inequality) as they felt it pertained to women in prostitution. Here, in something of a departure from form, I explore how respondents represented another party to transactional sex, the man who buys. This divergence is necessitated on three grounds. First, much gender ideology is predicated on a gender binary, and is thus only intelligible in relational terms (Bourdieu, 2001). Therefore, in order to understand constructions of the feminine, one must explore constructions of the masculine – just as one must comprehend privilege, in order to understand disadvantage (Cho et al., 2013). Secondly, I fear that in failing to address such matters, and thus leaving them in the silence, I might become complicit in a perpetuation of the masculine hegemony explored above. And thirdly, too often gender is understood as a characteristic of women alone, and gender inequality as a peculiar feature of their existence. Frequently, gender inequality policies are framed as those which address ‘women’s issues’ (Bacchi & Eveline, 2003). This, in turn, creates the sense that men are people, whilst the rest of us are deviations of people. This is something I wish to counter.

Notably, silence regarding men and their gendered existence, was a matter abolitionist respondents explicitly problematized. Many spoke of the way discussions regarding men, and their culpability, had been marginalised, ignored and fiercely contested in prostitution debates, as well as in discussions of violence against women:

“I think again it is discrimination in society that we are choosing to focus on the women, it is like the criminal justice system was made by men, for men and that is what you see happening – it is going for the women”

Harvey, Abolitionist

“Well there has always been a reluctance to look at the men in... when we talk about women’s oppression or abuse. So it took a long time – even for feminists – to talk about perpetrators of domestic violence. What we heard about was what it was like for the women, the refuges that were set up, the survivors and what they were saying, the stories of the women. Then all of a sudden we started looking at the perpetrators and there was a mass outcry – what about the men? What about the men? You’re monstering men”

Bindel, Abolitionist

Here, Harvey echoes the critique of the criminal justice system promoted by feminist scholars like Dworkin (1993) – namely, that it is a masculine construct which favours masculine interests and, therefore, perpetuates a masculinist hegemony. Bindel, in concord with Goodwin (2013), alludes to how discursive spaces - ordered by reference to dominant masculine ideologies - have mediated the degree to which activists can problematize male behaviour without repercussion. In any event, in recognition of these concerns, I explore the way respondents represented men who bought sex, paying particular regard to discourses of gender.

Though a somewhat diverse range of opinions were articulated, most respondents expressed a fairly low opinion of men who bought sex. Abolitionists tended to frame such men as exploitative:

I think buyers are very clear that most women do not want to be in there and most women are in there for money - and I think it is an exploitation of that situation and of that person in that sense.

VAWG Charity Officer, Abolitionist

“Let’s say for the real sake of illustrative argument, that a young attractive boy – let’s say he is 16 – comes to me (this is entirely theoretical), and says will you help me, I need a job and I say ‘well yes but how about you make it worth my while’. It’s inconceivable isn’t it? Even as I am... isn’t it?”

Senior Civil Servant (Retired), Abolitionist

In the latter excerpt, the respondent uses a hypothetical example to highlight what she understands to be a double standard - illustrating how certain behaviours generally construed as unthinkable for women, are frequently framed as somewhat common/normal for men. Here, then, and in concert with Bourdieu (2001), she explores how gender ideologies represent men’s sexuality as aggressive and predatory, whilst constructing female sexuality as caring and submissive – thus legitimising the enduringly gendered organisation of the illicit sex trade. In addition, she uses this juxtaposition to highlight the general undesirability, and exploitative nature, of sex buying.

On the other hand, PSWR advocates tended to rely on representations of male buyers which stressed the degree to which they deviated from narratives of hegemonic hyper-masculinity:

“Most of the time they are away from home, they are a bit pathetic, they don’t speak confidently, a lot of them are elderly - they are really an array but they never strike you as the most charming men. As in – oh, well you could just go out and start chatting to somebody then”

Perry, PSWR

“So I have a client who is seeing a guy, who is just an incredibly shy person, who she thinks is delightful, he has just never managed to form intimate relationships, and as he has got older... so he is very nervous in the company of women and gets like stomach upsets and panic attacks... so what is this guy to do?”

Ayres, PSWR

These excerpts disrupt abolitionist representations of men who buy sex as exploitative predators. They appeal to the trope of the hyper-masculinised criminal (Christie, 1986; Phoenix, 2005) – a callous and intimidating figure - and then highlight ways men who buy sex deviate. By stressing their shyness and elderliness, PSWR respondents paint at least some sex buyers as victims of a kind. And as Christie (1986) observes, “offenders that merge with victims make for bad offenders, just as victims that merge with offenders make for bad victims”(p.26). Second, these framings arguably draw from, and contribute to, both/either discourses of a male sex right (Miriam, 2005; Pateman, 1988), and/or narrative strands associated with sex positive feminism. Whilst the former reinforces, “men’s tacit right of access to women’s emotional and physical capacities” (Miriam, 2005, p. 11), the latter suggests that sex can, or should, be understood as key to human flourishing. In sum, both respondents suggest that men buy sex because they are unable to obtain it elsewhere, and Ayres – by asking “what is this guy to do?” – seems to suggest that the client to which she refers is veritably forced to buy sex.

In any event, in discussing men who bought sex, a number of PSWR respondents sought to differentiate between legitimate sex buyers and men who ‘posed as clients’:

“I think that then you need to question who the perpetrator of that violence is – it is not a client, it is someone who has posed as a client, it is a violent individual and it is somebody who has taken advantage of somebody in a precarious situation because of the law”

Scot-Pep Board Member, PSWR

“It is rare that regular punters or people they have seen before will commit violence and some people pose as punters in order to rape or whatever”

Feis-Bryce, PSWR

In drawing these distinctions, PSWR respondents create the same rhetorical effect as that which was achieved by drawing a distinction between off/on street prostitution (see Part Three Introduction). In summary, through differentiation, PSWR respondents free themselves from the responsibility of accounting for negative occurrences, within the phenomenon they seek to defend. If those who perpetrate violence are not genuine or authentic players in the sex industry - but aberrations originating from a different social system – their activities are unrelated to prostitution on a *systemic* level. To be clear, I do not deny that some individual’s ‘pose’ as clients in order to commit somewhat unrelated offences (e.g. robbery), I am certain that they do. Rather, I wish to highlight the discursive strategies at play. Of course, in order to represent someone as ‘posing’ as a client, one must have a good understanding of who constitutes a genuine client. In the above excerpts, a rapist is represented as an inauthentic client. This frame is clearly dependent on a representation of clients as ‘always already’ legitimate consumers, and not as individuals sexually exploiting the position of women in prostitution.

Moving on, abolitionists viewed the gender of most sex buyers as highly instrumental in structuring and organising contemporary prostitution. They framed macrosystemic gender ideologies and inequalities as fundamental and formative:

“[Prostitution] reflects an underlying assumption about women's roles in society and how they are subordinate to me... so rights is a very interesting aspect of this debate and conversation but a not uncommon view a law change would take away my right to purchase sex. In other words, I have a right to it and I can use my capital to have it. Well actually that reflects a broader phenomenon in society where men's rights tend to be prioritised over women... which we said in the report, we use an ECP [English Collective of Prostitutes] stat as a starting point which is that 95% of prostitution is women. I would say that 99% of prostitution is men buying, so I feel quite comfortable saying, 'look, just look at the stats here, where there is shared and common ground - this is a gendered phenomenon.'"

Shuker, Abolitionist

Here, then, in line with the critique offered above, Shuker invokes and rejects the notion of a male sex right. Conversely, when some PSWR respondents discussed the disproportionate number of men who bought sex, and the negligible number of women who did so, they suggested that biologically ingrained sexuality was to blame:

“Well I suppose – if we were to go back to my o’level biology, it would be because we are hardwired to do thing different genetically. We are... there is an imperative to reproduce, but the imperative for women by and large tends to be about looking after and nurturing and making sure that this is played out in nature, whereas men’s imperative is to have as many children as possible”

Perry, PSWR

“You know I think men are desire driven creatures whether that is going to watch football or whatever it is – I think men are more social than females as a rule, and are perhaps more hedonistic in some ways”

Armitt, PSWR

Here, then, these PSWR respondents, drew from, and contributed, to the naturalisation of sexuality – to the idea that sexual subjecthood and attendant desires/proclivities originate in genitally differentiated bodies. Their positions appear to suggest, in contradiction to Bourdieu (2001), that the phallus precedes its signifier, and subsequently orders the world. Substantively, they suggest that men are naturally predatory, sexually aggressive, and biologically inclined towards promiscuity; whilst women are passive and nurturing. Here, I would agree - with Bourdieu - that representations of this nature reflect gender ideologies (re)productive of masculine domination. In so doing, they arguably reflect the prostitution policy documents discussed above. In any event, in so doing, they – like their abolitionist counterparts - frame gender as instrumental in organising men’s use of the illicit sex trade.

Alternatively, PSWR respondents suggested that sex buyers were disproportionately male because women were disinclined to buy sex – a disinclination which stemmed from their Britishness.

“You know is it... are women supposed to want sex? Is it credible that they miss sex or have sexual desire in the same way as men? And I also I think for UK women to imagine, to think of, paying for sex - what does that say? So I think it is linked up to all sorts of things, so it is definitely something to do with a British phenomenon.”

Ayres, PSWR

“Some societies are vastly more comfortable with it. We're British aren't we? To start with. And it is... we are probably one of the most tightly strung societies out there. I think that you are absolutely right, it is a difficult thing to talk about.”

Armitt, PSWR

Here, respondents appear to echo the work of some sex positive theorists, who suggest that, once we have redressed inequalities, women will be freed to meet their sexual desires through transactional sex (Comte, 2013; Ericsson, 1980). Furthermore, they appear to echo the contention that sexuality is a mutable and socio-culturally constructed phenomenon/experience (Shrage, 1989). In addition, they appear to suggest that some form of culturally specific socialisation is at play. In turn, this socialisation seems to be understood as oppressive – functioning to overwhelm natural desires and silence a voice which would otherwise speak. This arguably reflects the work of relational autonomy theorists such as Meyers (2014) - who suggests that the internalisation of certain social discourses works to suppress the subject’s authentic self.

If Armitt and Ayres were drawing on theories of relational autonomy, their position here would not necessarily be incommensurate with the discomfort many - including Ayres - expressed regarding the construction of socialisation as instrumental in women’s choices to sell sex. Indeed, it would be an internally consistent position if women in prostitution were understood as liberated from oppressive socialisation, whilst the classically British were not. Of course, this particular interpretation is predicated on the normative assumption that accessing sex wherever one can is an expression of our true selves and something the oppressed should aspire to.

Over and above discussions of British socialisation in particular, there were a number of respondents (n=5) who, often when unprompted to do so, ruminated on the generalised socialisation of men and men who bought sex.

“We are not good at bringing up men in our society, because we traditionally live in this globally very patriarchal society and it filters.....somehow society enables men to walk away from responsibility very often, it venerates strength and testosterone in men, it venerates that through our sport culture and just general 21st century culture....”

Perry, PSWR

“Fundamentally, I believe that this is a broadly gendered phenomenon and therefore it comes down to men’s attitudes about the acceptability of purchasing sex, we know that there is research that shows that many men’s first experience of it are in more liberal regimes of prostitution – perhaps they go to a stag do in Amsterdam, they will come back and they will start purchasing sex. Why? Because it is socially reinforced that it is acceptable, it is part of being a lad right.... It doesn’t take a rocket scientist to figure out that there is a massively socialised aspect to it”

Shuker MP, Abolitionist

Hewer: “And that kind of leads onto the flip side, do you feel like socialisation leads men to buy sex.... The culture and attitudes thing?”

Smith, Abolitionist: “Yes, I think there is a, I think it would be quite hard for young men to escape the idea that sex is both something that can be both objectified and bought”

A close reading of full interview transcripts, and the different approaches to socialisation evidenced within them, showed that - whilst numerous respondents spoke of both the socialisation of women and men (e.g. Perry, Shuker and Hardie) - most seemed more comfortable with attributing male behaviour to socialisation than they were women’s. Thus, subjects most frequently framed as the beneficiaries of social orders are understood as more formatively constituted by such orders. This is interesting as it signifies an inversion of relational autonomy theories, in which, as discussed, socialisation is predominantly framed as an oppressive process.

If I draw my various explorations of socialisation together – both from this, and the previous, chapter - it quickly becomes apparent that respondents held a somewhat ambivalent relationship with the concept. Narratives of socialisation were variously employed and rejected, over the course of single discussions – it was framed as formative but not determinative, oppressive and a quality of the oppressor. In response, I would suggest that such ambivalence can largely be explained by reference to the existence of a pervasive ethic organised around deference for the lived experience. I would argue that respondents believed that, to undermine the epistemic primacy of subjects, was to be disrespectful and insulting. As such, it would seem that discourses of socialisation and epistemic primacy were organised and enunciated by reference to a normative framework which valued respect for, and acknowledgement of, the lived experience. When respondents wished to be respectful and compassionate, they eschewed conceptions of deterministic socialisation; when they wished to problematize someone – frame them as undesired and undesirable – they were less inclined to avoid narratives which might be understood as insulting.

This linguistic disempowerment of men proved somewhat problematic for abolitionists, however, as it made attributing culpability more difficult. This is evidenced by framings which represented socialisation as possessed of the power to absolve individual responsibility.

Hewer: “Do you think that it is potentially....to do with narratives that are informing everybody’s gendered understanding of themselves that men have this perception....?”

Senior Civil Servant (Retired), Abolitionist: “I think it is complete bollocks, I think they absolutely know.... I would say that people know that it is not right because you know what you would do for your best friend’s daughter. You wouldn’t do that to them”

“I think that if a man doesn’t recognise his patriarchal power, that he is doing something which is inherently abusive and dangerous – then he should bloody know by now”

Bindel, Abolitionist

In order to fully blame men for the role they played, abolitionists felt it is necessary to individualise them. This, once again, potentially provides evidence that respondents (pre-reflexively or otherwise) negotiated discourses in such a way as to maximise their own framings. Alternatively, one could conclude that abolitionist respondents believed socialisation was never deterministic in terms of choice: as discussed in the previous chapter, whilst abolitionist respondents did suggest that women who sold sex might be subject to socialisation, they did not (would not) present such socialisation as instrumental. Either way, understandings and representations of the internalisation of externalities, and its effects, were contested, and complex.

8.3 Conclusion

In this Chapter, I have demonstrated the contested nature of representations of gender, as it relates to prostitution. I concluded that the documents studied variously de-gendered prostitution, or gendered prostitution but failed to problematize the disproportionate number of women selling sex/men buying sex. In turn, I suggested that within such silences, one could discern adherence to a gender ideology which naturalised current sex trade configurations. I then argued that policy problematisations of sex buying relied on diffuse arguments regarding the indirect creation of demand, which failed to properly engage with the act itself.

Within the interviews, whilst abolitionist respondents understood gender to be highly formative in structuring and organising prostitution in a variety of ways and on a systemic level, PSWR respondents were less inclined to frame women’s gender as deterministic with regard to prostitution. With that said, PSWR respondents did frame women’s unequal access to material resources as potentially instrumental. Finally, whilst no respondent expressed a particularly positive opinion of men who buy sex, PSWR respondents tended to construct them as biologically driven (or as less affected by the vagaries of Britishness than women), whilst abolitionists understood them as micro-manifestations of broader social forces.

PART FOUR - PROSTITUTION AND VIOLENCE AGAINST WOMEN AND GIRLS

In this Part, I discuss how policy-actors and documents, interpreted and represented Violence against Women and Girls (VAWG), before exploring how prostitution was variously included/excluded from related policy narratives. The question of whether prostitution constitutes VAWG has informed a significant body of academic literature (see Agustin, 2001; Beran, 2012; Farley, 2004; Raymond, 1998). The same question has been met with ambivalence by global policy-makers, as the sale and purchase of sex has been variously included and excluded from a range of supra-national and international policies (see Chapter One). Furthermore, as will be discussed in due course, British policy-makers have demonstrated similar levels of ambivalence: inclusion of prostitution within Westminster policies has been unstable – fluid and shifting. A question which has received less directed attention (both academically and politically) is: on what grounds inclusion/exclusion is justified? How, precisely, is prostitution related to violence against women? Is it a form of violence unto itself or merely a context within which much violence takes place? If the latter, are all forms of prostitution violent or are some exempted? These are the questions to which I turn in Chapter Ten. However, I begin, in Chapter Nine, by discussing violence and VAWG in general terms, setting aside (momentarily) considerations of prostitution. Here, I discuss how violence was defined, as well as how it was explained. These general discussion allow me to lay foundations for a more thorough exploration of prostitution's inclusion within VAWG narratives and policies – facilitating an exploration of tensions between generic conceptualisations of VAWG and more specific interpretations. In short, Chapter Nine allows for a discussion – in Chapter Ten – regarding whether prostitution's inclusion/exclusion within VAWG policy narratives occurs with relative discursive consistency, or not.

In this Part, and as discussed in Chapter Five, three VAWG policies, published in 2009, 2010 and 2012 respectively, are analysed. The first, *Together We Can End Violence against Women and Girls* was published by the 2005-2010 Labour Government. The second and third – *Call to End Violence against Women and Girls* and *Call to End Violence against Women and Girls: The Next Chapter* – were produced and published by the 2010-2015 Liberal Democrat and Conservative Coalition Government. Notably, there were policies³⁶, preceding *Together We Can End VAWG*, which invoked narratives of VAWG (albeit inconsistently) but most were concerned primarily with domestic violence rather than gendered violence in general (Howe, 2006) and were therefore excluded from the data corpus, as discussed in Chapter Five.

³⁶ See Howe (2006).

Chapter Nine - An Overview: Violence against Women and Girls

In this chapter, I explore how policy-actors and documents alike, theorised and defined Violence against Women and Girls (VAWG), in generic terms. I begin by discussing how the three VAWG documents selected for study, and 21 respondents, represented the causality of violence – exploring to what degree they awarded primacy to microsystemic perpetrator pathologies over, say, more macrosystemic trends. In so doing, I investigate the degree to which, documents and respondents, reflected an ostensibly feminist sociological model of VAWG (FSM-VAWG) – one which represents individual behaviour as causally related to socio-culturally and structurally inscribed gender inequality (Lawson, 2012; Mooney, 2000). I draw heavily on the academic narratives/ideas explored in Chapter Three. Thereafter, I go on to discuss how policies and respondents alike, defined violence, as they felt it pertained to VAWG. Here, I pay particular regard to the various ways respondents sought to represent violence, focusing on matters such as victim/perpetrator subjectivities, and frames of social violence (e.g. structural/symbolic).

In this chapter, each individual section begins with a documentary analysis and ends with a discussion of interview findings. I favour this deviation from previous form, simply because this chapter covers two deeply interrelated but nonetheless separate issues, e.g. theories and definitions of violence. A thematically organised chapter therefore seemed preferable to the alternatives. Furthermore, each section explores interpretations/representations of VAWG in broad terms, remaining silent, at this juncture, on the specificities of prostitution. Here, then, I set the discursive scene, tracing understandings of the policy field in general, before embarking on matters specific to the sale and purchase of sex. In Chapter Ten, I discuss how prostitution was variously included in, and excluded from, narratives of VAWG. In turn, this separation allows for the exploration of tension and consensus, discursive consistency and inconsistency.

9.1 Theories of Violence against Women and Girls

I begin by discussing how the three policy documents selected for study, and my respondents, interpreted and represented the causality of VAWG. In so doing, I explore how documents and respondents attributed blame, with regard to violence perpetrated against women, by men. Blame attribution, Benford and Snow (2000) suggest, is an important dimension of any diagnostic frame insofar as it facilitates the crafting of a meaningful prognosis: “since social movements seek to remedy or alter some problematic situation or issue, it follows that directed action is contingent on identification of the source(s) of causality, blame and/or culpable agents” (p.616). In any event, I conclude simply, arguing that a FSM-VAWG permeates, to varying degrees, both relevant policies and the representations of interviewed policy-actors, from across both coalitions.

Before I proceed, it is worth noting that – whilst I selected respondents *primarily* based on their involvement in the prostitution policy subsystem – a number were similarly active in influencing VAWG policy. Numerous abolitionist respondents were affiliates of organisations directly, or tangentially, involved in campaigning against VAWG. To illustrate, both Green and Kelly worked with the End Violence against Women Coalition – an umbrella organisation heavily involved in related policy making endeavours (Dustin et al., 2013). And, of course, this crossover was no accident, but rather speaks to a telling intersection of political agendas (discussed in Chapter Ten). Furthermore, many of the government officials interviewed

had dual interests/portfolios. The Home Office has traditionally been tasked with creating both prostitution, and VAWG policies. Home Secretaries (e.g. Jacqui Smith) therefore oversee both. Thus, whilst the relationship between policy documents and respondents could be construed as more circuitous here, than in previous chapters, they remain potentially meaningful. Though, as discussed, the precise nature of any such relationship is inevitably complex.

9.1.1 Documentary Analysis

Together We Can End Violence against Women and Girls: A Strategy

Together We Can End VAWG does not deal directly, or particularly explicitly, with what it believes to cause VAWG. With that said, the concept of ‘gender (in)-equality’ appears sporadically throughout the document, and appears to be framed as causally significant. For instance, the task of tackling VAWG is often framed as necessary for the satisfaction of statutory equality duties: the document suggests that “public authorities should consider whether they need to address VAWG as part of their approach to gender equality when drawing up their gender equality scheme and action plans” (p.7). Furthermore, the policy explicitly situates itself within a framework of international treaties, primarily concerned with women’s discrimination and inequality, e.g. DEVAW (see Chapter One). DEVAW, the policy suggests, defines VAWG as “violence directed at a woman because she is a woman” (p.12). *Together We Can End VAWG*, therefore, frames VAWG as a gendered issue – indeed, the above quote suggests that VAWG is framed as aetiologically gendered. What is not made abundantly clear however is how *precisely* the interconnection between gender, gender inequality and violence perpetrated against women is understood to function. There are, for instance, no *clear* ruminations on whether VAWG is perceived to be a cause, consequence, or example of women’s inequality or, how any perceived causality is believed to work, e.g. through gender ideology/maldistribution of resources (Atkinson et al., 2005; Hee-Kang Kim, 2004) .

With that said, I am inclined to draw some tentative inferences, regarding causality, further to an exploration of the policy’s focus on prevention through consciousness raising. Here, I heed Benford and Snow’s observations regarding the necessary relationship between blame attribution and prognostic frames - working back from the latter, to better understand the former. In any event, in discussing ways to prevent VAWG from occurring, *Together We Can End VAWG*, stresses the importance of challenging attitudes and beliefs, and proposes that such challenges be made through widely disseminated advertising campaigns (p7). The policy commits itself to “developing a national communications strategy designed to address attitudes towards VAWG among all members of the public” (p7). It also makes the more general claim that, “in order to tackle violence against women we must challenge the perceptions of both men and women” (p22). These excerpts are telling insofar as they appear to problematize broadly pervasive cultural attitudes. Furthermore, by highlighting what is not discussed, e.g. psychopathology, it becomes all the more apparent that the policy favours a more macrosystemic, than microsystemic, understanding of the phenomenon. This arguably indicates a tentative acceptance of a FSM-VAWG.

All these observations should be qualified by the stipulation that there are few explicit discussions of the precise way in which cultural messages are thought to relate to VAWG. In addition, the policy proposal that national campaigns should challenge perceptions of VAWG *specifically*, arguably severs the phenomenon from wider trends of inequality – insofar as it fails to represent VAWG as one manifestation of a larger problem. In turn, this narrowing, and ambivalence, could create a space within which regressive gender ideologies might flourish. To provide a hypothetical example, the message ‘never hit a woman’ could

work to reinforce gender binaries premised on the inherent fragility of women, and the need for protectionist interventions. Whilst a far more thorough exploration of the content of consciousness raising campaigns would be necessary to speak with any certainty on this matter, what I wish to highlight here is that a commitment to challenging attitudes is not inherently progressive. Furthermore, I would argue that such caution appears all the more appropriate given the findings of Morgan and Bjorkert's (2006) work. They suggest, in short, that crime prevention strategies, similarly published by the Home Office, have framed women as primarily responsible for guarding against, and preventing, their own victimization. Given this, I would suggest analytical vigilance, as to the potential ideological basis for – and potential implications of – consciousness raising efforts.

In contrast to the above, some statements contained within *Together We Can End VAWG* could be interpreted as implicitly invoking a sociological model more akin to family violence theory (Reingardien, 2004) – in which ecologically nested mesosystemic familial systems are seen as productive of violent behaviour, rather than gendered ideologies or structures. For example, *Together We Can End VAWG* makes reference to “healthy relationships” (p6) and the need to work “with families to reduce domestic violence, including violence between partners and violence from young people towards their parents or carers, often mothers” (p34). Here, the use of the term ‘partners’ neutralises gender, and works to problematize de-gendered intimate relationships. However, as there is no explicit discussion of theory, it remains unclear whether the ‘family’ is perceived as a mesosystem in which manifestations of gender inequality are played out, or whether the ‘family’ itself is perceived as creating certain contexts and behaviours. It is additionally possible, though admittedly outside the purview of this research, that family violence narratives are the discursive leftovers of a historic (over)-focus on domestic violence (Howe, 2006). Emerging discourses, in their development, must contend with more established conceptualisations, thus some level of discursive hybridity would be entirely plausible (Fairclough, 2010).

Call to End Violence against Women and Girls

When addressing VAWG occurring domestically, *Call to End VAWG* does not deal directly with what it believes to cause violence but, much like *Together We Can End VAWG*, appears to suggest that ‘gender (in)-equality’ plays a role. For instance, in her forward, former Liberal Democrat MP Lynne Featherstone claims that VAWG is, “a form of gender inequality and it is wrong” (p.4). Furthermore, and again in reiteration of *Together We Can End VAWG*, the policy makes various allusions to the government’s gender equality duty. To illustrate, in reference to the *Equality Act 2010*, it claims that “public bodies will be required to publish data on the impact of their work [including] relevant data on how they are tackling violence against women and girls” (p.24). Here, as before, the policy draws out connections between gender inequality and VAWG, but, again, fails to explicitly discuss the nature of such connections.

However - and much like *Together We Can End VAWG* - *Call to End VAWG* frames consciousness-raising endeavours (p. 9) as the primary method through which gendered violence should be redressed. In contrast, however, it places noticeably less emphasis on raising public consciousness, and more emphasis on raising the consciousness of frontline workers. It states, for instance that “multi-agency professionals cannot simply be expected to know (VAWG) exists” (p13) and that “raising awareness of (VAWG) for those who may come across it in the course of their jobs, such as health workers... is essential”. Admittedly, the policy does propose the initiation of a targeted campaign for “NHS staff, public and patients to raise awareness” (p.9), and commits to exploring “the role of national communications to change behaviour including raising awareness of sexual violence”. For the most part, however, *Call to End VAWG* focuses on workers who

might encounter victims of violence by virtue of their professional endeavours. This is arguably significant insofar as it transfers attention away from pervasive cultural beliefs, which form/shape perceptions, and towards a narrower population guilty, simply, of failing to recognise VAWG when it is presented to them. This, in turn, weakens my suggestion that a commitment to consciousness raising evidences adherence to a sociological model of violence. Such a model requires that macro-level factors be interpreted as causally or contextually complicit in creating instances of interpersonal violence – a threshold not met by problematizing the knowledge of doctors, carers or police officers.

One striking, and divergent, quality of *Call to End VAWG*, is the theoretical distinction it appears to draw between VAWG occurring in the UK and VAWG occurring overseas. Committing itself, early on, to ‘international work’, it quite clearly relies on a FSM-VAWG as and when addressing VAWG abroad. For instance, in a statement that creates a clear relationship between VAWG and wider social inequality, the policy claims that:

“We recognise that violence against women and girls impedes development in the poorest countries where physical suffering or fear of being attacked mean that women and girls are unable to contribute to society and benefit fully from health, education, economic opportunities and other services. The voice of women and girls and, more generally, their ability to contribute to the political process is also restricted” (p.21)

And, in a statement which clearly attributes blame to macrosystemic factors, *Call to End VAWG* goes on to say that: “entrenched social and cultural attitudes and gender biased criminal justice and informal justice mechanisms mean that most victims suffer in silence with little or no recourse to justice, care or support” (p.22). This is striking insofar as it evidences that a strong macrosystemic frame was ‘available’ to policy-makers, but was not applied to representations of VAWG occurring domestically. Put plainly, the explicit problematisation of international cultures, and the *relative* failure to problematize domestic culture, creates the impression that sexist attitudes/structures, as well as gendered violence which works to impede full participation in the social world, are largely foreign problems. In turn, and in concert with Hearn and colleagues (2016), I would suggest that by drawing these distinctions, *Call to End VAWG* frames macro-systemically caused violence, as an affliction of an ‘other’.

Call to End Violence against Women and Girls: Taking Action

Taking Action, makes the following declaration: “we...recognise that violence against women is a consequence of continuing inequality between men and women, and is a barrier to achieving equality” (p. 10). This explicit attempt to represent a causal and bilateral relationship between inequality and violence, appears to evidence at least a partial adherence to a FSM-VAWG. In addition, when compared with the previous two policies analysed, it arguably represents the most compelling example of explicit adherence (at least with regard to domestic VAWG). Additionally, and in reiteration of its two predecessors, *Taking Action* pays some attention to the ‘public sector equality duty’ (p.12) and prevention through consciousness raising. Be that as it may, it arguably bears greater resemblance to *Together We Can End VAWG*, insofar as it places more emphasis on the role of pervasive cultural attitudes, than on the relative failings of frontline workers. For instance, it boasts that the government held a meeting with “representatives of the media industry... to discuss how images and messages could perpetuate gender stereotypes and promote an acceptance of VAWG” (p.12). Furthermore, in a summary of the Mayor of London’s initiative to tackle VAWG, the aim of addressing “the health, social and economic consequences of violence” (p.18) is applauded. Notably, in a context in which individual pathology is *not* problematized, these kinds of claims

provide further weight to the suggestion that this policy – at least partially – draws from, and contributes to, a FSM-VAWG. However, much like in *Together We Can End VAWG* and *Call to End VAWG*, there is little discussion of how precisely the relationship between inequality and violence is thought to function.

9.1.2 Interviews

Before I embark upon a discussion regarding the way my respondents represented the causality of VAWG, I wish to explore some findings which speak to how supportive respondents were of VAWG narratives in general. Within a number of my interviews I asked respondents whether they favoured distinct VAWG policies, which disaggregated violence against women from violence more broadly. I did so, in large part, to initiate discussions regarding whether respondents felt gender was an important explanatory variable with regard to VAWG, and in turn, to explore the degree to which a FSM-VAWG appeared to have permeated discourse. As a result, findings which spoke to the political desirability of VAWG became entangled with discussions of causality, and therefore require exploration.

In any event, respondents, from both sides of the political divide, were broadly supportive of the movement to create distinct VAWG policies. Only two of the 21 policy-actors interviewed expressed the belief that VAWG policies were politically undesirable or materially unhelpful. Both such interviewees were PSWR advocates, but it is perhaps more notable that both were men. Admittedly, the interviews conducted for this research did not focus on whether or not a respondent's gender influenced their subjective apprehension, nor could such inferences be meaningfully inferred from the data collected. I raise the matter of interviewee gender with hesitance then, and only to pay some heed to wider theories regarding the influence of standpoint, the critical potentialities of marginalisation (Stanley, 1990) and the epistemic influence of gendered positionalities (Meyers, 2010). In any event, when asked about the VAWG agenda, one respondent rejected it without much equivocation:

“...I'm not a big fan (of the VAWG agenda) generally. To me violence is violence, whether it is against men or women, whether it is perpetrated by men or perpetrated by women. I personally don't see it differently – like I say violence is violence....I have never been a fan of saying, you know, violence against women is particularly worse than violence against men – as far as I am concerned all violence should be treated equally”

Davies, PSWR

Whilst the other gave a more ambivalent response, which drew less on abstracted notions of equality and more on the way VAWG policies were enacted and implemented in central government:

“The Ministry of Justice announced – I can't remember the exact numbers – but it was like a £40 million rape fund, they called it, and a colleague of mine who is the CEO of Survivors Manchester, and there are four... and they basically kicked up a storm because there was a clause in it which was ‘only female services can apply for this fund’ because it was funded by VAWG so they kicked up a little fuss at senior level meetings”

Feis-Bryce, PSWR

Notably, though each respondent articulated their objections in different ways, both partially predicated their rejection of the VAWG agenda on the fact that related narratives/practices excluded men. Whilst problematizing violence perpetrated against men is *by no means* contradictory to a feminist analysis, framing all violence as essentially comparable does somewhat foreclose upon disrupt/undermine a FSM-VAWG. Whilst this model does not require that we perceive violence against women as more serious than violence against men (as Davies suggests), it does require that we frame the causality of such violence somewhat differently. Violence perpetrated by men against women, according to a feminist analysis, is the

consequence of an inequality which subordinates women whilst facilitating and legitimising men's dominance (Dobash & Dobash, 1979; Kelly, 1988; Mooney, 2000). To view all forms of violence as conceptually interchangeable, would therefore be to deny the explanatory value of some feminist causal narratives.

These positions were, however, relatively anomalous. The vast majority of respondents (n=19), when asked whether they supported the existence of distinct VAWG policies, were accepting of the notion that violence against women should be discursively disaggregated from violence against men. The most common reason (n=10) given for this position was that VAWG had a gendered aetiology. Indeed, both the perpetration and experience of VAWG was attributed to gender:

“Women's inequality is a cause and consequence of violence against women and girls”

Senior Civil Servant (Retired), Abolitionist

“[We should have a distinct VAWG agenda] because it is gendered, because it has a gendered dynamic. If you actually take the whole spectrum of violence against women... you know all of those things are coming on a spectrum and in a context of inequality and they are disproportionately perpetrated against women because they are women – something to do with their gender and their roles – and they are disproportionately perpetrated by men against women”

Harvey, Abolitionist

“Because so much of the violence... the types of violence that we consider in VAWG is very, very gendered....so in FGM the victims can be of either gender. But... it is overwhelming gendered, the figures are huge and there are deep attitudinal reasons for some of it both in terms of perpetrators and the wider public in terms of victims and victim responses”

Home Office Civil Servant

Hewer: ... why do you think that women are likely to experience those forms of violence? What do you think is the cause of that?

Scot-Pep Board Member, PSWR: “I still believe in the feminist analysis of patriarchy and I still believe that women are in a position in society that puts them behind men in a lot of ways”

And for the most part respondents problematized gender by reference to culturally inscribed gender inequality (see the excerpt from the Civil Servant, above) and the way it ordered social relations, power asymmetries and hierarchies. Violence, interpreted through a lens of this hue, was understood to be instrumental and expressive:

“I think what men are doing is using it as a way of controlling us in a whole host of scenarios, in the domestic arena and in public... and then domestic violence speaks for itself, obviously speaks for itself but it is a pattern of coercive control, again exercised by men in order to maintain women in a subordinate position and themselves in a superior position”

Senior Civil Servant (Retired), Abolitionist

Mitchell, PSWR: “...it is always to do with a power relation though and whether it is women and men, or black and white, or trans and straight, or children and parents.”

Watson, PSWR: “Yeah, it is the structure of our society, it is the power relation among us, and there is a hierarchy of power and the violence reflects that.”

These representations of causality appear to more explicitly draw from, and contribute to, a FSM-VAWG, than the policies analysed above. Respondents, from both coalitions, privileged structural explanations over psychopathological or rationalist accounts, which focus (primarily) on the mental predispositions of aberrant individuals (Lawson, 2012). Interestingly, and as discussed in previous chapters, psychopathological and rationalist narratives of violence are favoured by liberal thinkers who award primacy to the isolated individuality of the subject. Similarly, they are amenable to neoliberal constructions of the self which individualise and responsabilise (Baker, 2008; Biebricher & Johnson, 2012). In contrast, sociological explanations – insofar as they problematize social injustice and inequality – are more agreeable to a leftist political philosophy. They allow, in short, a more macro-systemic critique than individualistic explanatory narratives. Here, then, respondents – *en masse* – appeared to depart from liberal thought, at least with regard to VAWG. This analysis should be qualified slightly, however, as one respondent – though subscribing to the belief that VAWG had a gendered aetiology – did not attribute that aetiology to social inequality.

“I think that (the need for a distinct VAWG agenda) comes from, sadly, simple human factors that men are stronger than women, and men are predisposed to sort their problems out using violence... And because of the difference in physical capability, then you know....”

Armitt, PSWR

Here, Armitt arguably draws from liberal and masculinist discourses. They are liberal, insofar as the tendency towards violence appears to be understood as psychopathological, men are ‘pre-disposed’. At the very least, more social understandings of the self seem to be silenced. They are masculinist, insofar as men are represented as more prone to aggression – a framing which arguably draws from, and ingrains, regressive gender ideologies (Bourdieu, 2001)

Over and above discussions regarding the gendered nature of VAWG, there was a similarly significant tendency (n=8) to justify the need for a distinct VAWG agenda by pointing to the prevalence of related violence:

“[We should have a distinct VAWG agenda] because it is rampant, I guess.”

Watson, PSWR

“This comes down to the numbers involved – the numbers associated with different forms of oppression.”

Perry, PSWR

“It is because of what we know about the scale and prevalence and nature of violence against women and girls and because of what we can see changing and now changing over time”

Green, Abolitionist

“Because for women in, adult women, violence from a man is a higher risk than road traffic accidents, cancer, all of the other things we worry about”

MacTaggart, Abolitionist

In addition, these excerpts echo claims made in *Together We Can End VAWG* (“around half of all women and girls in England and Wales could recall being victims of violence over their lifetime” (p.4)); and *Call to End VAWG* (“there were over 1 million female victims of domestic abuse in England and Wales in the last year... over 300,000 women are sexually assaulted and 60,000 women are raped each year”). In turn, they

indicate an interpretation of violence perpetrated against women as less anomaly and more commonplace, less episodic and more systemic. Again, this position appears to draw from, and contribute to, a FSM-VAWG, insofar as it frames violence as a social, rather than private, problem (Dobash & Dobash, 1979; Kelly, 1988). To closely paraphrase Galtung, “when one husband beats his wife, there is a clear case of personal violence, when one million husbands beat one million wives” there is structural causality at play (Galtung, 1969, p. 172).

Finally, one abolitionist respondent expressed the belief that VAWG should be disaggregated from violence against men in a policy context, lest an over focus on the latter crowd out a thorough and meaningful discussion of the former:

“We talked about violent crime a hell of a lot (when I was Home Secretary), people defaulted when they were talking about violent crimes to things like... guns, knives, and gangs. Now, women are victims of that but they were... this was very much seen as the sort of priority and I can very much remember sitting in front of the Prime Minister – Gordon Brown – and saying, and I think he was making some comment about how terrible the figures were, and I said something like ‘let’s not forget that the context is also that there are two women a week who are being killed by their partners’. And the look on his face, and in fact quite a few of the other people around the table, suggested to me that whereas I thought Violence against Women and Girls should be mainstreamed within the violent crime reduction strategies, lots of other people didn’t necessarily see it that way... and they saw violent crime as not being sexual or domestic abuse”

Smith, Abolitionist

This excerpt is interesting for two reasons. First, it evidences a belief that the experiences of women have been omitted from mainstream policy activities. Second, it highlights political tensions surrounding the mainstreaming and ‘ghettoization’ of gendered issues. In short, whether or not mainstreaming ‘women’s issues’ results in the relative silencing of women’s voices, and a foreclosure on gendered analyses, or – conversely – ensures women’s needs are met by every institution and every policy, is a debate of some contention (Bacchi & Eveline, 2003). Here, Smith seems to suggest that she favoured mainstreaming, but that promoting related frames proved challenging because of extant discourses, and policy-actor interpretations.

9.1.3 In Summary: Theories of Violence against Women and Girls

It would appear evident that the three documents analysed, and most of the respondents interviewed, interpreted and represented VAWG as ostensibly related to trends of gender inequality - a position at least partially in keeping with a FSM-VAWG. With that said, there are clear oscillations in the strength and clarity of this position – for whilst the policies analysed fell short of fully articulating a FSM-VAWG, a significant number of the respondents interviewed explicitly problematized socially inscribed and gendered power asymmetries, in clear adherence with feminist theories. What was perhaps most notable was the degree to which PSWR respondents represented VAWG as causally related to macrosystemic and gendered trends. For whilst abolitionists were very frequently affiliated with VAWG organisations; PSWR respondents were not. And whilst abolitionist narratives of prostitution are frequently represented as inherently interrelated with feminist representations of violence (see Chapters One and Ten); PSWR narratives are not. In addition, whilst the problematisation of macrosystemic trends speaks to PSWR understandings of the subject as contextualised and constrained by social externalities, representations of gender as possessing significant explanatory variable sits *somewhat* uneasily with their framing of the illicit sex trade, e.g. as largely de-

gendered save for its relationship to ‘mainstream’ employment and male biology. Thus, this coalition’s general acceptance of a FSM-VAWG is notable.

Overall, the dominance of this discourse (among these actors/documents) is perhaps notable when one considers the dominant nature of neoliberal narratives in much recent policy, in general terms (see Bacchi & Eveline, 2003; Biebricher & Johnson, 2012; Lissovoy, 2013; Schram & Silverman, 2012; Wacquant, 2012). The FSM-VAWG is disruptive of neoliberal narratives, in that it problematizes macro-level trends, whilst silencing discussions of individualism. In turn, if we momentarily entertain the idea that neoliberalism is a pervasive and dominant narrative, in broad terms, a theoretical possibility presents itself. As intimated above, my respondents – many of whom contributed to the creation of Westminster VAWG policies – relied on a stronger and more cogent version of a FSM-VAWG, than the analysed documents. Whilst the latter did problematize gender inequality - and appeared to frame violence as a micro-manifestation of related trends - they did little to explore the mechanisms/modality of causality, and refrained from an explicit indictment of socially inscribed gendered power asymmetries. As such, government VAWG policies appear to contain a watered down version of the feminist framings promoted by many of those involved in related policy-making activities (e.g. consultations). In turn, I would suggest that the three policy documents analysed, might be the product of a framing contest within which two (or more) powerful discourses vied for dominance and, in the process, became diluted by virtue of the other. Given what others have demonstrated regarding the ideological nature of much contemporary UK policy (see Lissovoy, 2013; Schram & Silverman, 2012; Scott, 2011) and policies pertaining to types of VAWG (e.g. IPV) (see Howe, 2006), I would suggest that Westminster VAWG policies may be, to varying degrees, products of a powerful FSM-VAWG filtered through a neoliberal lens. However, in order to truly understand how respondent interpretations/representations were incorporated into policy, more research would need to be done regarding the power, position and work of policy-brokers.

9.2 Definitions of Violence

This section explores how the three selected documents, and 21 interviewed respondents, defined ‘violence’. As discussed at length in Chapter Three, the meaning of ‘violence’ has provoked much academic attention, and limited consensus (see Bufacchi, 2005; Coady, 1985; Galtung, 1969; Kelly, 1988; Kilpatrick, 2004). Here, I pay particular regard to the types of activity represented as constitutive of violence, and discuss, to what degree, respondents/documents framed violence as an interpersonal and/or social phenomenon. Relatedly, I highlight ambiguities and ambivalences, regarding whether certain social forces were (or should be) framed as violence unto themselves, or as causally related to violence. In turn, I explore the role victim/perpetrator subjectivities were deemed to play, with regard to defining violence. I conclude by arguing that the lack of consensus characterising academic literature on violence is – to some degree - mirrored in my findings.

9.2.1 Documentary Analysis

Together We Can End Violence against Women and Girls: A Strategy

Together We Can End VAWG provides a handful of somewhat imprecise definitions of violence. Illustratively, the policy draws directly from *DEVAW*, defining VAWG as “any act of gender-based violence that results in, or is likely to result in, physical, sexual or psychological harm or suffering to women” (p.12). In turn, it goes on to say that “violence may most often be thought of as physical attack or sexual abuse, but it can also include emotional or psychological abuse, financial abuse and the imposition of social

isolation” (pp.12-13). The first definition is somewhat tautological insofar as it defines violence by violence. Admittedly, it does evidence an emphasis on outcomes (e.g. ‘harm and suffering’) – though this raises definitional difficulties of its own (e.g. what constitutes harm?). Both definitions seem to suggest that a wide range of possible actions/consequences constitute violence. It is therefore apparent that the definition entertained by this policy, transcends a narrow, perhaps masculinist, framing of the term (intended physical force causing unwanted somatic harm (Coady, 1985; Galtung, 1969; Kelly, 1988)) and pays some heed – be it consciously or otherwise – to feminist attempts to widen characterisations of the term, in such a way that they more accurately represent the lived experiences of women (Easteal et al., 2012; Kelly, 1988).

With regard to whether violence was represented as necessarily interpersonal, it is perhaps worthwhile considering the numerous discursive invocations of ‘sexualisation’ within *Together We Can End VAWG*. For instance, the policy notes that some consultation respondents felt that the “sexualisation of popular culture and the ubiquity of sexualised imagery of women and girls” (p.6) were problematic. With that said, the *precise* role sexualisation was deemed to play, with regard to VAWG more generally, remains unclear. Whether sexualisation was considered violence unto itself, or as causally implicated in violence, is ambiguous. In turn, these findings echo pre-existing academic observations regarding the highly ambivalent nature of the concepts deployment (see Coy & Garner, 2012). Indeed, the most explicit statement regarding the interconnectedness of VAWG and sexualisation reads as follows: “responses to the consultation felt that the sexualisation of popular culture and the ubiquity of women and girls *constitutes a problem with respect to VAWG*” (emphasis added) (p.5). This statement does little to clarify matters. In addition, it is notable that when invoking sexualisation, the policy took care to highlight that it was *consulted parties* and not government who raised the issue. This is evident in both of the above pieces of data. Thus, sexualisation was presented neither as established fact, nor as an official position.

Call to End Violence against Women and Girls

Call to End VAWG echoes *Together We Can End VAWG* by quoting DEVAW (as above). In addition, the former echoes the latter, insofar as it alludes to the deleterious impact of sexualisation. To illustrate, beneath the subtitle “Attitudes, Behaviours and Practices”, the policy claims that “the communications we see around us on a daily basis can reinforce negative messages on the role of women and contribute to the excessive commercialisation and premature sexualisation of children” (p.9). It continues by stating that “it is essential that we take steps to challenge these messages, demonstrate why they are unacceptable, and work to put positive models and messages in their place” (p.9). But again, the exact character of sexualisation is not explored. The question of whether or not it is conceived as violence per se, or as causally related to violence, remains ambiguous. Arguably, its inclusion beneath the auspices of a section dedicated to preventing violence by challenging attitudes, suggests that it is framed as a causal/contextual factor, but again the policy provides little definitive guidance.

Call to End Violence against Women and Girls: Taking Action – the Next Chapter

Taking Action does not offer an explicit definition of violence, though it does mention numerous subcategories, suggesting that it represents the phenomena as, at least partially, constituted by a broad range of interpersonal interactions (e.g. female genital mutilation, rape). Furthermore, much like the two policies explored above, *Taking Action* pays regard to sexualisation. Whilst discussing prevention, the policy commits government to “working with industry to reduce the inappropriate sexualisation and commercialisation of children” and to reducing “inappropriate media portrayals of women” (p.14). But again, there is little guidance as to how sexualisation is deemed to function, and what justifies its inclusion within a government VAWG policy.

9.2.2 Interviews

As mentioned, the definitions of violence articulated by respondents frequently seemed imprecise and ambiguous. They were consequently somewhat difficult to analyse. In order to provide some coherence, I have presented such articulations by reference to the following categories: tautological reasoning; criminal justice system (CJS) narratives; defined by coercive control; and defined by outcome. Each category draws out a different way in which violence was represented. I then go on to discuss respondent positions on social violence.

I wish to offer one stipulation before I begin. During the interview process, a number of respondents vacillated between using the terms ‘violence’ and ‘abuse’ – at times deploying them interchangeably, and at times to demark a difference in what was being signified. As I was not immediately aware that respondents were engaging in this practice (I became cognizant of its pervasiveness whilst transcribing), I was not always able to seek synchronous clarification. As such, cited data – and the inferences I draw – should be read with this in mind. More substantively, this observation is notable, when one considers extant academic debates regarding whether or not to classify certain behaviours as violence *or* abuse, as discussed in Chapter Three (see Kilpatrick, 2004). Here, we can see the same kind of contestation and ambivalence informing processes of respondent signification and categorisation.

Tautological Reasoning

In the main, and as indicated by my interview aide memoire (Appendix C), respondents were asked to describe what they felt constituted violence, within the context of the VAWG agenda. In response, a number of interviewees offered a rather tautological reasoning, defining violence by reference to violence. Often, this was expressed in a way which indicated the meaning of the term was, in contrast to my analysis, axiomatic (n=5):

“I am quite a stickler for keeping violence as violence”

Bindel, Abolitionist

“I think violence is violence”

MacTaggart, Abolitionist

“And you know women’s violence is violence... being whacked is being whacked, being hurt is being hurt, being emotionally abused is... it is what it is”

Perry, PSWR

Additionally, respondents frequently (n=15) defined violence by citing types of violence - by representing violence in general as constituted by various subcategories, grouped around things like methods of perpetration or type of harm committed.

“You have emotional violence, you can have physical violence and sexual violence and I think that they do overlap and they do cross over what people self-define as violence”

Scot-Pep Board Member, PSWR

“Well the obvious – physical violence, sexual violence, emotional violence, mental violence, financial violence. Financial abuse... let’s call it abuse, so the holding of resources, the impoverishment of somebody, control and power. So yes, those are the main ones. Physical, sexual, emotional and mental”

Perry, PSWR

Somewhat ironically, representing what constitutes violence as self-evident contributes to a sense of confusion – circular reasoning is irrefutable but impenetrable. Definitions which draw on subcategories of violence are more illuminating insofar as they provide some guidance as to how broadly respondents framed the scope of the phenomenon. Here, in line with policy documents, respondents commonly advanced a broad definition of the term (e.g. encapsulating psychological force/emotional harm). As previously intimated, broad definitions of violence are favoured by feminist theorists, who suggest they capture the scope of women’s lived experiences of violation/harm (Kelly, 1988; Kilpatrick, 2004). Few respondents, however, spontaneously included instances of structural/symbolic violence in their definitions, suggesting that the term was conceived of in largely interpersonal terms. I discuss respondent approaches to social violence, in more depth, below.

Criminal Justice System (CJS) Narratives

Discourses associated with the CJS seemed to occupy an important space for a number of respondents (n=5), with regard to their interpretations/representations of violence. Many expressed a desire to constrain related definitions by reference to what would be intelligible to CJS narratives:

“I don’t think you can criminalise asshole behaviour and nor should we, I hate now that we call domestic violence, domestic abuse – I recognise that there is much abuse within heterosexual relationships that is horrendously damaging to women and their children, that isn’t criminalised and nor should be. So violence to me is physical violence, sexual violence is sexual violence and can also include physical violence... but I wouldn’t call keeping money away from women at the end of the month violence. I would call it asshole behaviour”

Bindel, Abolitionist

“We would understand (violence) – from the departments point of view – as a violent crime. Or an act that was part of a pattern of behaviour which constituted crime”

Home Office Civil Servant

Here, then, both respondents framed the definition of violence as somehow related to CJS discourses. As discussed in Chapter Three, numerous feminist academics have questioned the epistemic validity of such discourses (Dworkin, 1993; Kelly, 1988; Smart, 1990). To illustrate, Smart (1990), suggests that representations, produced and reproduced by the criminal law form part of a particularly powerful phallogocentric discourse – one which variously shapes what can be, and is, said. In a similar vein, Eastaugh and colleagues (2012) suggest that the definition of various criminal offences reflect masculine experiences and interests, whilst silencing the alternatives. In light of these critiques, I would suggest that – in relying heavily on CJS narratives – respondents risk reproducing regressive and masculinist discourses, at the expense of a more critical approach to definitions of violence. Given how much of the feminist VAWG project has been dedicated to exposing and critiquing problematic male behaviour, commonly minimized/legitimised by official discourses (Dobash & Dobash, 1979; Ertürk, 2009; Kelly, 1988; Ortiz-Barreda, Vives-Cases, & Gil-González, 2011), it would seem counterintuitive to draw on such discourses to provide definitional clarity to VAWG. And whilst I accept Bindel’s contention that not all problematic behaviour must be understood as violence, I would nonetheless suggest that it is necessary to critically engage with the criteria we use to classify things as violent or not. I am inclined to temper this analysis, however, by noting that the enactment of offences designed to address phenomena identified by feminist activists as problematic (e.g. coercive control), disrupts frames of law as entirely masculinist. What feminist gains suggests is that the law is – at least in part – a negotiated text, occasionally receptive to the demands of counter-movements. This observation does not, however, support the idea that violence can be defined by reference to a pre-existing

legal code, given that this code can be changed dependent on what we understand to be violent. From whatever perspective then – law as masculine discourse, law as receptive discourse, law as both – utilising current perceptions of criminal illegality to define an act as violence poses difficulties.

This, in turn, raises a broader question, implicit in much of Part Four: what political and critical utility is there in classifying something as violence, rather than problematic according to some other normatively loaded term (e.g. abuse, discrimination)? If we accept the epistemological presuppositions of this thesis – namely that signification is a contingent process of meaning making, rather than a straightforward practice of describing material phenomena – then this quandary necessarily presents itself. What could we, or should we, hope to achieve through processes of signification? I must confess, to my own frustration, that I remain deeply ambivalent on this matter. Theorists such as Galtung (1969) and Mukherjee and colleagues (2011), suggest that, in drawing on extant discourses of violence and signifying harmful phenomena accordingly, theorists can bring otherwise neglected issues into the light, showcasing their brutality and problematizing them accordingly. Others, such as Kilpatrick (2004) and Coady (1985), suggest that to signify all deleterious practices and effects as violent, is to void the term of any meaning. Of course, this necessarily raises the question of what – precisely – deserves the meaning ‘violence’ confers and what power could be, or is, exerted through the words ownership/appropriation.

Coercive Control and Other Outcomes

A number of respondents (n=6), most of whom were abolitionists (n=5), defined violence (with regard to VAWG) as something which involved or was characterised by ‘coercive control’.

“Well there are lots of good definitions...both in UK law and in the UN convention, I would say that coercive control probably covers it”

Senior Civil Servant (Retired), Abolitionist

“But I think that there is an aspect of that as well which that is set in which is institutionalised violence, coercion and control which also need to be tackled through the agenda”

MacTaggart, Abolitionist

The phrase ‘coercive control’ appears in the work of feminist scholar, Stark (2009a, 2009b). Furthermore, and as discussed in Chapter One, controlling and coercive behaviour was recently criminalised in the *Serious Crime Act 2015*. Briefly, ‘coercive control’ is, according to Stark, a form of psychological entrapment, which results following the performance of numerous discrete, but interconnected, acts of domination, within an interpersonal relationship. In turn, such behaviour is understood to be organised around, and motivated by, pervasive understandings of traditional gender roles. In sum, men are framed as the social beneficiaries of the ability/proclivity to coercively control their partners, in such a way as to enforce their ‘femininity’. Here, then, respondents may have been informed by Stark’s work (or its dissemination elsewhere), and subsequently defining violence by reference to its instrumentality. More broadly, invocations of coercive control are interesting insofar as they emphasise the definitional centrality of particular outcomes. Violence, here, is understood less by reference to how it is enacted, and more by what results.

In a similar vein, some respondents defined violence by referencing potential outcomes – such as the violation of bodily integrity or ‘hurt’:

“There is obviously the violation of somebody’s bodily integrity, clear. But, there are so many ways to invade someone’s space and sense of themselves, you can do it with words, you can do it with images”

Kelly, Abolitionist

“Violence is where somebody physically hurts somebody and so that can be a verbal threat and a physical threat, usually to get money from them or in some cases to demean”

Ayres, PSWR

According to these respondents, then, violence can be said to occur when particular consequences take place, or are experienced. Definitions which centre on variables like experience and affect, invariably raise questions regarding subjectivity, and the epistemic validity of individual perspectives. If violence is defined by the experience of being hurt or violated, does the ultimate epistemic power remain with the victim of an act? If so, how did respondents treat this ever present issue of subjectivity and selfhood when speaking of, and representing, violence?

Subjective Apprehension

Consent

With regard to general definitions of violence, respondents interpreted/represented individual subjectivity in different ways. Discussions regarding the role of consent and intent, as well as those concerning whether some acts could be represented as objectively violent, garnered an assortment of responses. There were, notably, no apparent correlations between abolitionists and PSWR advocates, and any particular position. For instance, a handful of respondents, from both coalitions, framed victim perspectives as important. This often came up with regard to marginalised subjectivities:

Hewer: “So the experience of the individual is an important factor?”

Scot-Pep Board Member, PSWR: “It is a really important factor for me, and I think as well that is just being mindful of your position in society. Of where we live, the fact that we are white, the fact that we kind of see violence a certain way through a certain analysis. Whereas actually in another context that might not be defined as violence...”

“(Sexualisation) is violating for those people who experience it like that... so it is what level you are talking about violence. For me, I think that there is what people find violating and friends of mine who are incredibly aware around the subtleties of racism find things violating that it takes me a little while to catch up with and to understand... if you have got grounds of people saying the same thing for them is violating, then you have got to think about it”

Kelly, Abolitionist

Both of these excerpts can be read in subtly different ways. For instance, one could infer that both respondents were rejecting universal definitions of violence and awarding primacy, instead, to the positionality and social contextualisation of the subject. Violence, here, is relative rather than absolute. Alternatively, respondents could be arguing that the universality of violence lies in the subjective experience of violation. Violence exists when it is felt to exist. Whilst the first interpretation would place significant weight on the contingency of subjecthood, the second would bestow the (potentially isolated) individual with definitional power. In any event, both respondents clearly conferred epistemic significance to the perceptions of the subject.

Conversely, respondents of both persuasions also expressed the view that some things could be objectively defined as violence (or at least meaningfully defined by a third party), regardless of the subjectivity of a victim.

“I think that the natural, inevitable result of the argument that I am advocating is that violence can be perpetrated against a woman without her viewing it that way or understand it as such, I accept that with some reluctance....”

Shuker, Abolitionist

“Well I think that there is a culture among a number of sex workers to not see something as (violence)... they say ‘oh it is part of the work’... So I think that yeah, it can either be partly because ‘I am doing sex work so it comes with the job’ or something perhaps culturally you don’t talk about these things....”

Ayres, PSWR

“I think that, yes, I think that absolutely it is possible that you can be being controlled and abused and not know that you are being abused”

Perry, PSWR

A more pronounced disagreement, in keeping with the political divide, could be discerned with regard to understandings of the meaning of consent. In short, PSWR advocates tended to represent the formal granting of consent as significant. In summary, they stressed the continuing validity/significance of consent in situations in which something was experienced as violence but not objected to:

“...the point is that we also need to recognise that the gamut of adult sexual experiences, if that is where you have your sexual experiences – if you are lucky enough to have them only as an adult – are mixed. You know, you don’t go ‘oh that was a bad shag, and I really hate myself for doing that and now I am going to level charges against that person’. You go, ‘oh that was a bad shag’.”

Perry, PSWR

“I think that consent is not overridden by the fact that they experience it as violence. I think if people experience something as violence but they give their consent to it for a bigger gain, it is still their choice whether they experience that violence or not”

Scot-Pep Board Member, PSWR

I am cognizant of the need to treat interpretation of these excerpts with caution. Neither Perry, nor the Scot-Pep Board Member, were suggesting that consent ameliorated all ills. Perry, in particular, expressed concern regarding the multifaceted ways in which human interactions could negatively impact upon an individual – regardless of whether or not consent was present. Rather, respondents were suggesting that once consent is granted certain normative values, forms of redress and/or definitions are foreclosed upon. This position, in some ways, resembles a contractarian construction of human relationships (discussed in Chapter Two) in which person A’s duty of care to person B is discharged when B freely enters into a contract with A. After this A can treat B as he wishes, as long as he adheres to the terms of the contract. It is incidental if B looks pained, feels sad, seems defeated – she consented and A’s responsibility to her has, therefore, been discharged (Ells, 2003; Miriam, 2005; Pateman, 1988). I take issue with this *ideal type* (and not the above respondents’ positions per se) on two fronts. First, I do not believe our responsibility to respect an individual’s feelings or needs, happiness or despair, vulnerabilities or pain, can be contracted away. This is a purely normative position, but then so is contractarianism. Ethical human relationships should, I would contend, contain compassion, empathy, and care. This, I would go on to argue, is a moral

imperative created when we choose to frame existence as inherently relational: isolationism allows for selfishness, dependency demands more (Butler, 2014). I do not, here, intend to elide *ethical* with *criminal* – CJS narratives provide a closed discursive space, beyond which we should still be able to discuss appropriate behaviour. What a sad state of affairs it would be if we concluded that the simple, verbal granting of consent freed us from acting with humanity or if the minimum aim was to behave ‘not as a violent criminal’. It seems to be a testament to the hegemony of neoliberalism, of the moral value of greed and selfishness (Brents & Sanders, 2010; Brown, 2003), that there is a ring of ridiculousness about the suggestion that we be – as a matter of moral course – kind to one another. There seems something naïve and fanciful about the notion that acts be problematized, on a systematic level, by suggesting they are neither decent nor compassionate. A politics of benevolence seems far-fetched, but I desire it nonetheless. Second, as outlined by Ells (2003), the idea of free consent draws on a liberal notion of the subject as isolated, as decontextualized from the social world, the position she inhabits within it and the power dynamic of relationships – which I would, as already intimated, understand to be a powerful political fiction (Pateman, 1988). My intention is not to entirely undermine the significance of consent, to remove it absolutely from considerations of human relationships or criminal offences, but rather to encourage a reframing. The possibilities/obstacles to such a reframing, arguably speak to debates on the inviolability of autonomy, discussed in Chapter Three, and touched upon again in Chapter Ten.

Intent

In a similar vein to discussions of consent, there was limited consensus, across the coalitions, with regard to the epistemic role of perpetrator subjectivity, in interpretations/representations of violence. The only notable trend was a tendency amongst abolitionists to situate men, and their choices, within a broader context of macrosystemic gender inequality. Respondents occasionally represented such contextualisation as creating the conditions within which men perpetrated violence, without realising they were doing so:

“...in domestic violence... men are not conscious that they are being abusive and being exploitative of their partners because they take for granted the conditions of heterosexual relationships in patriarchy that give them the right to be the one who knows best, to be the one who sets the terms of the relationship, to be the one who decides what activities you can and cannot do...”

Kelly, Abolitionist

Whilst others argued that in knowingly abusing their position within a macrosystem characterised by gender inequalities, men deployed violence intentionally:

“I think that they are all aware that there is inequality, there is discrimination, there is a power abuse, and they go in still and do it anyway. So for me that is intention. But that is different from being utterly malicious”

Harvey, Abolitionist

Overall, however, respondents held a variety of positions on the epistemic validity of victim and perpetrator subjectivities, with regard to definitions of violence. Policy-actors from both coalitions variously framed individual perspectives as epistemically central *and* incidental. Some such positions arguably exist in tension with the previous consensus regarding the epistemic primacy of women’s experiences/perspectives, within the context of the illicit sex trade. The diversity of opinions and the tensions highlighted, arguably speak to the contested nature of ‘violence’ as a term and broader ambivalences regarding subject positions and perspectives.

Social Violence

For the most part, respondents entertained a somewhat indecisive relationship with the idea that violence could be anything but strictly interpersonal. When discussing examples of structural violence (Galtung, 1969)(e.g. the maldistribution of resources) or symbolic violence (e.g. internalised sexualisation which facilitated domination) (Bourdieu & Wacquant, 1992) most interviewees spoke with some ambivalence or hesitation. No respondent unequivocally dismissed the idea, but few felt entirely comfortable with it either. A handful of respondents indicated that they had not made up their minds, and were open to persuasion:

Davies MP, PSWR: “I think – I am prepared to be persuaded otherwise – I think there has to be by definition some perpetrator. But if someone can persuade me otherwise I am open to listen to...”

Hewer: “There are theories about structural violence and symbolic violence and slightly more abstracted.”

Davies MP: “I am slightly more, my initial reaction is always to be sceptical about that kind of stuff.”

Hewer: “What about if there was a policy, a government policy which meant that women received less of a certain benefit?”

Jones, Abolitionist: “Well that would be inappropriate.”

Hewer: “But would it be violence?”

Jones: “Yeah, you could make a case, I think you could.”

Hewer: “Would you be open to that case?”

Jones: “Yeah, I think I might. I table questions on anything and occasionally I get up and rant and I could make a case for that I think. I think I would do a bit of probing questions to government.”

I would suggest that, in the above excerpts, both Davies and Jones appear to adopt an explicitly interpretivist approach to meaning making, insofar as they seem to suggest that the relationship between a signifier and what it signifies, is both contingent and determined through debate. Here, then, I would suggest that these respondents were behaving as the active users of discourse eschewed by Bacchi (2005) (but embraced by sociological frame theorists) insofar as they were conscious of their political complicity in processes of signification. This is a matter I discuss at more length in Chapter Eleven.

In any event, a number of respondents explicitly engaged in debates on whether structural/symbolic forces should be considered violence *per se*, or whether it would be preferable to classify them as either *causal or conducive factors* in interpersonal violence:

Hewer: “Is sexualisation a form of violence or does it create the conditions within which violence can take place?”

Hardie, Abolitionist: “It can be both, it can be both. I think it is... these are not my words, these are the words of Liz Kelly, I think it is a conducive context.”

“I think terming it violence... I think personally, I would look at it as, so like, certainly it is sexualisation and then taking different items in our culture for example, I would try to indicate them as really significant causal factors, just factors, and creating this term the conducive context and so on. I think I would probably leave it to literary people or arty people to term them violence in themselves and then I would admire those people but I don't know if it is helpful in policy discourse”

Green, Abolitionist

Here, respondents echo the kind of definitional possibilities I highlighted, with regard to sexualisation, in my discussion of the three analysed policy documents. More substantively, Hardie explicitly cited fellow

respondent, Kelly's (2007), theory of a 'conductive context'. Developed in research on trafficking in the Central Asian Republics, Kelly frames 'conductive contexts' as "social, economic and political" conditions which create "fertile fields" (2007, p. 81) for exploitation and violence. In this work, she appears to frame such contexts as existing within spaces created by the intersection of a constellation of instrumental factors (e.g. weak governance, a decline in women's rights, poverty). In contrast, the respondents cited above appear to take a slightly more straightforward approach, framing sexualisation alone as sufficient to create a conducive context.

Building on this, the conscious ambivalence regarding how structural or symbolic factors should be framed is briefly mirrored in work by Coy and Garner (2012). These academics explicitly acknowledge that they have framed sexualisation as both symbolic violence and a conducive context - using different frames, in different publications. Of course, sexualisation could be both symbolic violence *and* a conducive context – the categories are not mutually exclusive – but this instability in framing evidences something of an engaged ambivalence. Indeed, Green's suggestion that theories of social violence may be inappropriate within a policy context specifically, suggests some level of strategic and active involvement in the politics of meaning making and frame promotion. Again, this is a matter I discuss, in-depth, in Chapter Eleven.

In strategic/political terms, it is unclear how much the distinction matters. Arguably, the principal utility of signifying sexualisation as a form of violence per se is that, in so doing, one can problematize a pervasive cultural phenomenon understood to be damaging to all women (Coy & Garner, 2012). In turn, such problematisations promote a more radical theory of social inequality, e.g. as arising from macrosystemic/symbolic trends. As Coady (1985) suggests, broad definitions of violence which implicate social forces (like structural violence) do work for critical/leftist theories insofar as they allow for a critique of an array of social injustices. In political terms, then, whether social inequalities are problematized by reference to the term 'conductive context' or 'violence' *might be* largely incidental – one way or another the structural is implicated, and more radical modes of redress are legitimized. Whether one tackles sexualisation as a cause of violence, or as violence per se, sexualisation is tackled. From this perspective, however, the need to prove causality might cause difficulty –evidencing a link between cultural trends and interpersonal activities, is a matter which is subject to constant and heated debate (see Hernandez, 2011; Martinez, 2011). Building on this, and in more abstracted terms, I would suggest that the idea of a 'conductive context' is theoretically problematic insofar as it is, by its very nature, dependent on the continued existence of interpersonal violence. Thus, in a world without interpersonal violence, the grounds on which Kelly has sought to problematize certain trends, would evaporate. This is the very reason Galtung (1969) frames social forces as violence unto themselves. He suggests, in short, that it is insufficient to problematize ripples on otherwise tranquil waters, when the tranquil waters do harm. He rejects the notion, then, that the perpetration of violence should necessarily be understood to flow directly through the body of a subject.

In any event, a number of respondents - whilst not entirely averse to the notion of structural or symbolic violence - expressed concern that embracing them would make the definition of violence unwieldy/too expansive.

"Sure poverty is violence. It is terrible. You know poverty is an absolute form of violence, it is a form of violence that begets yet more forms of violence because thousands of people get on boats and cross the Mediterranean and that is violence. Absolutely – the world is a violent place. Violence is what underpins inequality... you know inequality is violence. But I don't think that is useful, I mean I am sort of agreeing with you because I am saying that

it is all fucking dreadful but I don't think that is useful. I think we need to tackle those issues, we have to be able to say why poverty is hugely problematic and what it leads to"

Perry, PSWR

"Just as a language thing – I think it is something else. I think it is something else – it is bad and I think we should do something about it but I am just not comfortable framing something in such an umbrella catch all"

Feis-Bryce, PSWR

These critiques echo those promoted by Bufacchi (2005) and Coady (1985), both of whom argue that broad definitions of 'violence' cause the term to lose its analytical traction. In his analysis, Coady claims that a wide definition of violence would have "undesirable practical consequences" insofar it would conflate a multitude of distinct wrongs and "encourage the cosy but ultimately stultifying belief that there is one problem, the problem of (wide) violence" (1985, p. 10). I am sympathetic to this point. Whether or not a term like violence can meaningfully contain all of the modalities, mechanisms, outcomes, actors and subjectivities implicated by theories such as structural violence - whilst continuing to wield any analytical traction - is debatable. As my work in Chapter Six would suggest, filling a term with an array of meaning, can effectively work to evacuate it of meaning – causing it to become a floating signifier. On the other hand, a term like violence might possess a power too great to dismiss entirely. And, as I intimated in Chapter Three, though we may accept that violence should not, cannot, mean all things; it does not necessarily follow that we accept its current meaning. But, again, this raises the ultimately debatable question of utility: what work does the word violence do? Is it better to colonise a pre-existing term, in order to draw on the gravity of its meaning? Or, in recognition of the challenges explored above, break free and start from scratch?

In Summary: Definitions of Violence

In sum, the various interpretations and representations, offered by respondents and policy documents alike, suggest that the precise meaning of violence is ambivalent. Policies, and policy-actors, draw on a plurality of discourses (e.g. CJS narratives, feminist conceptions of coercive control) in order to make sense of the term, and express varying positions on the epistemic role of perpetrator/victim subjectivities. Nevertheless, some trends can be observed. For the most part, respondents and documents appeared to construe violence as a *primarily* interpersonal phenomenon. Beyond this, they favoured a broad conception – encompassing an array of activities and harms (e.g. physical and emotional). Furthermore, whilst the three documents studied, failed to fully engage with the notion of social violence, respondents expressed an active, sometimes strategic, ambivalence towards the idea. This was most aptly demonstrated by explicit discussions of the way sexualisation could be conceived as violence unto itself, or causally/contextually related to violence. In more analytical terms, my critical engagement with respondent representations was plagued by uncertainty regarding the political utility of signification and resignification. Here, then, I identified yet another question demanding research and/or contemplation – what purposes are served by representing a phenomenon as violence? Should we seize upon the connotations of extant discourses, in order to invest new things with the gravity such discourses provide? Or are they so embroiled in the powers and interests of others, that they ultimately subvert desired aims?

9.3 Conclusion

In many ways, the first section of this chapter stands in illuminating contrast with the second. For whilst policy documents and most policy-actors, appeared to represent causality by reference to the same seemingly FSM-VAWG (albeit with varying levels of strength and certainty), they construed violence itself

in many and varied ways. As intimated above, this arguably evidences the influence of a plurality of dominant and critical, contradictory and complementary, discourses. The resulting representations are significant for a variety of reasons, already discussed. To illustrate, the apparent dominance of a critical theory of causality, implicating socially ingrained and systemic gender inequality – amongst both respondents, and to a lesser degree, policy documents – is notable, insofar as it shows something of a deviation from the neoliberal hegemony underpinning much policy originating in the English policy system more broadly (see Howe, 2006; Scott, 2011; Simon-Kumar, 2011). This is arguably testament to the success of feminist academics and activists, with regards to frame promotion in this field - as discussed in Chapter One. Similarly notable, was the lack of consensus regarding the epistemic role of victim/perpetrator subjectivity – given the relatively homogenous position respondents held on internal individualism (at least with regard to choosing), discussed in Chapter Seven. Finally, the often reflexive ambivalence respondents entertained with regard to ‘social’ (rather than interpersonal) violence is interesting, both insofar as it evidences a tension in regard to the matter in substantive terms, and because it arguably provides an example of respondents behaving as the active users of discourse. This is a topic I discuss in more depth in Chapter Eleven.

Chapter Ten - The Inclusion of Prostitution

In this chapter, I explore the way policy-actors and documents variously included and excluded prostitution from narratives of Violence against Women and Girls (VAWG). In short, I investigate whether the three documents selected for study, and the 21 interviewed respondents, represented prostitution as included in, or excluded from, narratives of VAWG, and on what basis they promoted their framings. Specifically, I explore whether or not prostitution was represented as violence per se, a contextual or causal factor in the creation of violence, or tangentially associated with violence. I conclude by suggesting that these debates are highly contentious, and invoke a plurality of discourses. In turn, I identify debates regarding prostitution's relationship to VAWG as a key site of discursive contest between abolitionist and PSWR respondents. Perhaps more notably, I argue that related matters are subject to a "frame dispute", within the abolitionist coalition. Frame disputes are, as Benford and Snow suggest, "intramural.... disagreements regarding diagnosis and prognosis" (2000, p. 626). As will become apparent, this particular dispute pertains to diagnostic, rather than prognostic, frames, insofar as abolitionist respondents tended to agree that prostitution should be included within VAWG narratives/policies, but disagreed with regard to how such inclusion should be achieved/justified. This dispute was, for the most part, organised around questions regarding the relative epistemic credence of individual subjectivity, and whether prostitution was violence per se or causally related to violence.

As before, this Chapter begins with a discussion of analysed documents. Here, I evidence that prostitution's inclusion within the three policies selected for study, is unstable, vacillating and ambivalent. I then move on to survey findings generated with my respondents. I begin by exploring how PSWR coalition members viewed prostitution's inclusion within VAWG policies/narratives, and showcase the ferocity with which they rejected related discursive moves. Here I highlight the perceived politicality (rather than descriptive neutrality) of VAWG narratives and attendant policies. I then move on to explore abolitionist interpretations and representations of inclusion, and outline the parameters of the framing dispute alluded to above.

10.1 Documentary Analysis

Together We Can End Violence against Women and Girls: A Strategy

Together We Can End VAWG does not provide a comprehensive or explicit list of the kinds of activities which constitute VAWG. It does, however, make mention of various fields of violence (e.g. domestic, sexual, and "honour" based). Notably, prostitution is mentioned, albeit infrequently, as is trafficking for the purposes of sexual exploitation. For instance, when discussing the relative prevalence of VAWG the policy claims that:

"There are estimated to be around 80,000 people involved in prostitution in the UK. As well as being at risk of exploitation, they are particularly likely to be the victims of violent or sexual crime" (p.14).

Then, a little later, it states that "in 2003 there were up to 4,000 women trafficked for sexual exploitation in the UK" (p.15). Similarly, towards the end of the strategy, it is claimed that "women involved in prostitution are at particular risk from violence and abuse" (p.70) Furthermore, under a summary of prevention measures, the policy states that:

“We are taking measures to tackle the demand for prostitution and specifically to deter those who pay for sex with women who have been forced, coerced or threatened into providing sexual services, for example women who have been trafficked into sexual exploitation” (p.24).

What is therefore apparent is that prostitution *is* included within the VAWG narratives promoted by *Together We Can End VAWG*. What appears less clear, however, is how such inclusion was rationalised. By emphasising the risk of violence associated with prostitution, the policy seems to indicate inclusion was at least partially legitimised on these grounds, if not on the grounds that prostitution was, in and of, itself construed as a form of violence. This inference is strengthened when one notes that men who buy sex from forced, coerced or threatened women are explicitly problematized, whilst men who buy sex in general receive no attention whatsoever. However, with such limited data, it is difficult to conclude whether the relationship between associated violence and prostitution is presented as causative and, if so, how any such causality is believed to function.

Call to End Violence against Women and Girls

Much like *Together We Can End VAWG*, *Call to End VAWG* does not contain a comprehensive or explicit list of the kinds of activities it believes to constitute VAWG, but does make mention of various fields/types of violence. Unlike *Together We Can End VAWG*, however, this policy focuses heavily on fields of violence commonly interpreted through the intersecting lenses of gender, ethnicity and religion (e.g. female genital mutilation, honour based violence and forced marriage) (Chantler et al., 2009). This is, perhaps, a finding made all the more revealing when we recollect the policy analysis I offered in Chapter Nine. There, I observed that a strong feminist analysis of violence was applied to international instances of VAWG, whilst a weakened and diluted version was applied to domestic instances. Taken together, these findings suggest that *Call to End VAWG* works to, at least partially, discursively other the phenomenon of VAWG and to represent it as more profoundly experienced in cultures marginalised within Western societies, at least in its systemic forms.³⁷ In any event, prostitution is mentioned once, in a passage which reads:

“We recognise that women also face violence in the context of commercial and sexual exploitation. There are separate initiatives dealing with those issues, including a review of local effective practices and a new strategy to combat human trafficking...” (p.6)

It is not, therefore, entirely clear how prostitution is classified in *Call to End VAWG*, and whether or not it is believed to constitute a form of violence. The above wording appears to suggest that violence associated with prostitution (e.g. physical/emotional harm perpetrated in the course of sex buying) receives primary problematisation, whilst prostitution itself seems to be represented as a context within which such violence occurs. What is clear is that after this initial proclamation, prostitution receives no attention whatsoever.

Call to End Violence against Women and Girls: Taking Action

Prostitution is not long ignored, however, as it reappears in *Taking Action*. In her Ministerial Forward, the then Home Secretary Theresa May states that “we will work to reduce the harm suffered by the vulnerable women working in prostitution” (p.5). Later on, the text suggests that this re-inclusion was at least partially attributable to pressure from external sources:

“We continue to listen to partners and value their input into our work. For example, they have been calling for two areas of work to be included in the VAWG action plan: explicit consideration of prostitution, and male victims’ services. We know that many sex-workers

³⁷ This is an area in need of more thorough exploration. Research utilising an intersectional interpretative frame could potentially uncover a rich vein of racism/xenophobia justified by deployment of progressive leftist narratives of oppression.

may be particularly vulnerable to violence and can be less likely to come forward and seek help. In response, we have included some new actions around reducing the harm and risk of violence to this vulnerable group” (p.8)

Each of these statements again suggest that it is associated violence, rather than prostitution unto itself, which is represented as violence. The latter excerpt suggests that women involved in prostitution *may be* vulnerable to violence – indicating that the risk is not considered absolute by virtue of involvement. Furthermore, the above excerpt is interesting insofar as it explicitly indicates the existence of ongoing framing struggles, in which government and other policy-actors continually vie over, and negotiate, texts.

In any event, if we pause momentarily to look at the three policies in their totality, one point emerges: frames of prostitution, at least with regard to VAWG, are unstable and ambivalent. Indeed, following in-depth analysis of the documents explored here, I was left uncertain as to prostitution’s precise status, with regard to contemporary VAWG policies. In seeking clarification on this point, one respondent working within government told me this:

Hewer: “So is prostitution a form of violence against women?”

Home Office Civil Servant: “We don’t - so it is not defined as such within our violence against women and girls strategy. We are aware that others do, but it is not defined as such within our strategy.”

Hewer: “And why is that?”

Civil Servant: “I don’t think that there is a firm reason, I just don’t think that a strong enough argument has been made either way in terms of us drafting a strategy.”

Hewer: “Or potentially two strong arguments?”

Civil Servant: “Potentially.”

To clarify, in the latter half of this excerpt I challenge the civil servant’s claim that policy-makers at the Home Office were left unconvinced regarding prostitution’s inclusion, because arguments in favour of inclusion/exclusion were weak. I suggest, in contrast, that the Home Office were presented with two strong – but contradictory – arguments (originating from the two distinct coalitions), which essentially cancelled one another out. This was a suggestion I made in light of previously generated interview findings. My suggestion was not refuted, nor was it definitively affirmed. In any event, in what follows, I explore and analyse the arguments to which I referred.

10.2 Interviews

In what follows, and as intimated above, I explore the many and varied ways in which respondents sought to include and exclude prostitution from VAWG policy narratives. I begin by exploring the interpretations and representations of PSWR coalition members, the vast majority of whom argued that prostitution should be excluded from contemporary VAWG narratives. Thereafter, I move on to explore the interpretations and representations of abolitionists, most of whom supported some form of inclusion. Here, I trace the boundaries of an intramural framing dispute, one primarily organised around the familiar question of individual subjectivity and its epistemic value.

10.2.1 PSWR Advocates: Degrees of Exclusion

Prostitution’s relationship to VAWG policy narratives, was a highly emotive matter for a significant number of the PSWR respondents. Three of the eight PSWR respondents interviewed felt, strongly, that

prostitution should *never* appear within any VAWG policy, and expressed a fairly significant degree of anger at suggestions that it should:

“I do not have a problem at all with the violence against women and girls sector or thinking or lens, I don’t have a problem with it but **I do think that they have stepped way out of their box** by getting involved in the whole sex-work world”

Perry, PSWR

“I take violence in sex work very seriously but I feel very strongly that it is, again, lumping everybody into the same group.... And I think that it is **highly insulting** to the majority of sex workers who don’t fit into that category and don’t see it as violent”

Ayres, PSWR

For the most part, respondents premised their objections to prostitution’s inclusion on the grounds that: a) it displaced the epistemic primacy of women’s subjectivities and b) prostitution was, very simply, not a form of violence.

“It doesn’t really make sense because it isn’t violence and you are removing people’s own agency to give and take consent”

Feis-Bryce, PSWR

“And so there are often these blanket statements about women's experience of violence - and those women can be part of that violence against women movement and be supported, but I think the distinction around sex work is that sex workers... they are spoken on behalf of.”

Perry, PSWR

“I think that we are very conscious of the violent elements within sex work... so violence as in physically hit, rob, rape - but then there is also the, kind of buying into the ideology that selling sex is violent for women in every respect and I don’t think that a lot of women see it like that”

Ayres, PSWR

Read unsympathetically, some of these excerpts could be interpreted as contradictory when compared to assertions made about violence more generally. As discussed in Chapter Nine, both Perry and Ayres suggested that violence could be conceived as occurring, even when the victim in question did not recognise it as such (see section 9.2.2 - Subjective Apprehension). At that juncture, then, both respondents - at least partially - displaced the epistemic primacy of victim subjectivity. In addition, Feis-Bryce’s contention that prostitution simply “isn’t violence” is in juxtaposition with the apparent ambivalence respondents demonstrated regarding the precise constitution of violence, more broadly (Chapter Nine). A more sympathetic assessment might conclude that violence was interpreted as a highly complex and nuanced phenomenon, which could not be defined via universal laws and general proclamations. For instance, whilst IPV might be a form of violence which can occur without being recognised by its victim, sexual violence might – by definition – demand victim identification. Relatedly, I would be inclined to suggest that PSWR representations of violence and prostitution draw on a plurality of complementary and contradictory discourses – the relative dominance of which oscillate depending on context and material topic. Here, tensions appear to exist between discourses regarding the epistemic primacy of lived experience, and more normative assessments regarding what does and does not constitute violence. What is substantively evident, however, is that PSWR respondents once again framed individual subjectivity as central to classifications of prostitution.

With regard to the remaining PSWR coalition members, responses to inclusion were somewhat mixed. For instance, respondents from the English Collective of Prostitutes felt that inclusion could be considered desirable, but not within the context of extant VAWG narratives/policies:

“Well if we were going to write the violence against women agenda, it would look very different from what it is - so of course we would put it in that, we would put it in, because we want the violence and the rape dealt with and we want the economic alternatives dealt with, so of course we would put that all in there. But it would look very different to what the agenda currently is. But we would put it under that umbrella, it is violence against women definitely.”

Watson, PSWR

This excerpt provides voice to a simple, but nonetheless significant, point regarding dominant narratives of VAWG – one similarly evidenced by other findings in this, and previous chapters. In brief, pervasive VAWG narratives serve a particular political agenda – a leftist, feminist agenda which seeks to problematize macrosystemic, social, cultural and structural forms of oppression. In turn, the dominant feminist model of VAWG does not function as a *seemingly* neutral classificatory narrative – it does not merely describe violent acts committed against women and girls, but explains them, situating them within a politically contingent framing of the social world. This is worth raising, here, as it provides some explanation as to why most PSWR respondents were broadly supportive of feminist narratives of VAWG (see section 9.1), but vehemently opposed to prostitution’s inclusion. To accept a phenomena’s inclusion in VAWG is not simply to accept that it contains violence (PSWR respondents were clear that prostitution did); but to accept that such violence, and potentially the context within which it occurs, is attributable to certain macrosystemic and gendered trends. In turn, it is to potentially expose prostitution to the kind of framing PSWR respondents vehemently sought to refute; a framing largely owned by a coalition of actors they sought to rebuff. This inference is supported by the following:

Hewer: “OK. Do you think that there is - and taking your objections into account - do you think that there is any aspect of sex work which does belong in the violence against women and girls agenda?”

Ayres, PSWR: “Yeah, I think where there is coercion and exploitation and trafficking, yes. But I think that it is... what worries me, when you get into those kind of groups, there is a kind of a... what is the word... not a philosophy, a demeanour that a lot of those people think that all sex work is violent and I can't support that. As a worker I need to reflect and respect the opinions of people I work with. It may not even be my opinion but to give an honest reflection of what I see... so yes I think that definitely, but it is a small percentage. And most people don't fit into that category.”

In any event, when remarking on VAWG policies in their current incarnations, the ECP respondents reiterated the concerns expressed above: namely, that to include prostitution in its entirety, within VAWG, would be to undermine the subjectivities of the women involved.

There are people who think that all of it is violence. We object very strongly to that because that says to women generally that you don't know your own mind between consenting and non-consenting sex and that it doesn't matter what you say about your own situation, and we find that abhorrent and sexist...”

Watson, PSWR

The only PSWR coalition member to advocate unequivocally on behalf of prostitution’s inclusion within VAWG narratives, was Armitt. He ardently embraced the notion:

Hewer: “So, do you feel that sex work or prostitution should be included within the violence against women and girls agenda?”

Armitt, PSWR: “Absolutely.”

Hewer: “You do?”

Armitt: “Absolutely. And I could not say it more passionately - if you look, and I am a couple of months out of date, but I think we are up to 147 murdered in the UK since 1990.”

Armitt was the last respondent I interviewed. We spoke, via Skype, at a time when my mind was occupied by more analytical concerns. My reaction to his initial response (“You do?”) was therefore one of genuine surprise: given how negatively most PSWR respondents had responded to the idea that prostitution be included within VAWG narratives, his reaction felt improbable. On reflection, however, his position was entirely explicable, given his previous representations of the gendered nature of VAWG (see section 9.1.2). In essence, he represented VAWG policies as necessary insofar as they addressed manifestations of a physiological sex difference and not, as most others suggested, as they sought to problematize/redress dynamics of macrosystemic mediated inequalities. His anomalous support for the idea of inclusion should therefore be understood by reference to his distinct framing of the policy field. For Armitt, including prostitution within VAWG policy narratives did not necessarily connect the illicit sex trade to discourses regarding socially ingrained gender inequality/power asymmetries, but rather paid homage to the fact that women who sold sex were disproportionately subject to the physiologically dominant nature of men. This provides extra weight to my previous contention: namely, that, for many, prostitution’s inclusion in discourses of VAWG was rejected on the grounds that VAWG narratives were associated with a particular political project. Note, too, that Armitt supported inclusion largely on the grounds of associated violence and not on the grounds that prostitution in and of itself was problematic.

10.2.3 Abolitionists: Degrees of Inclusion

In what follows, I explore the various ways abolitionist respondents represented prostitution’s relationship to VAWG narratives. I begin by exploring the interpretations/representations of respondents who equivocated about prostitution’s inclusion. As will quickly become apparent, such equivocations were principally organised around the question of whether classifying prostitution as violence necessarily meant representing ostensibly consensual sex as rape. I then move on to explore representations of prostitution as inherently related to violence, if not violence per se, before moving on to discuss frames of prostitution as absolutely violent.

Reducible to Rape

Some abolitionist respondents expressed a degree of sympathy with the positions expressed by PSWR respondents, as expressed above. In contradiction with the commentary of some scholars, who suggest that abolitionism is fundamentally predicated on a reduction of prostitution to VAWG (see Chapter One), many abolitionist coalition members were powerfully and actively equivocal about inclusion:

Hewer: “So, I know you have said you are very uncertain about this but is prostitution a form of Violence against Women?”

Kelly, Abolitionist: “I used to say yes, now I think I want to say that it’s an exploitative practice which is conducive to violence against women from all sorts of actors. So it is a source of harassment from anybody who happens to be around if you are working in street prostitution, it is a sort of violence from clients wherever you practice it and it is a source of violence for those who are exploiting the prostitution of others, whether that is pimps or brothel owners or... **because if we say it is violence, then what do we say the rapes,**

the harassment, the being spat at, it is additional violence? That doesn't sit comfortably with me. And I absolutely take the point that if you are selling sex and you hear this, basically what is being said to you is that you are being raped 10 times a day and you are not able to see it. I don't think that is a good message, I don't think it is a good engagement with that group.”

Early in this excerpt, Kelly makes reference to conductivity: to the idea that a phenomenon (here prostitution) should be framed as causally related to acts of violence, rather than violence per se. Here, then, she reflects the views of respondents who similarly framed sexualisation as conducive, rather than reducible, to violence (see section 9.2.2 – Social Violence). In addition, Kelly expresses concern that to represent prostitution as a form of violence unto itself, is to risk eliding ostensibly consensual sexual activities with rape. Here, she gives voice to a significant concern for many PSWR respondents (n=4), and some abolitionist respondents (n=3):

“For example, if one time somebody does pay but then you take away your consent halfway through – and they continue to have sex – then that for me is rape. But if somebody says that all sex work is rape, then it takes away agencies to be able to define that as rape and not the other”

Scot-Pep Board Member, PSWR

“And as I said earlier, when we are dealing with sex workers who say I consent to this, whatever it is, and they are brutally raped, then those two things are very distinct... I think that sexual violence is one thing and prostitution is another thing and sometimes sex workers are victims of sexual violence but not when they are consenting, if you know what I mean.”

Feis-Bryce, PSWR

“...men and women will tell you that it is not, it is quite insulting to have to use the term ‘paid rape’ when some women will say to you ‘no, no I have been raped many times within the prostitution experience’ and I wouldn’t call every sexual encounter a form of paid rape... so we need to be very careful about that”

Bindel, Abolitionist

These concerns echo those articulated by Sullivan (2007), discussed in Chapter Two. In sum, Sullivan suggests that radical feminist narratives, which frame all prostitution as coercive and violent (see Dworkin, 1993), are problematic, insofar as they represent women in prostitution as ‘always already’ rape victims, and therefore undermine their consensual capacities, as well as their ability to make and pursue rape claims/convictions. In short, if all prostitution is violence, then what meaningful distinction is there between rape and any other sexual encounter? And if violence is violence regardless of the victim’s perspective, what possible significance could consent possess? I would suggest that these concerns are largely predicated on the idea that sexual violence is necessarily subject to universal laws which, to some degree, make one act of violence reducible to another. Why, precisely, is it impossible to conceive of two types of violence – rape, and another form, which is not rape but similarly involves sexual intercourse? In turn, this universality seems to pivot on the question of individual subjectivity and its epistemic validity. For something to be conceived of as violence, the victim should understand it as such – lest we call all things rape. In any event, I would like to take this opportunity to propose an alternative way individual instances of sex buying could be framed as a form of violence unto themselves, without conflating sexually consensual activities with rape. I do so by reference to Bourdieu’s (2001) theory of symbolic violence (as discussed in section 3.3.2). Thereafter, I discuss the normative desirability of this framing.

Symbolic violence is understood to occur when a) the structures of a social field are organised in way which facilitates the domination of some individuals by others and b) the dominated misrecognise that field as natural, play by its rules and, in turn, become complicit in their own subjugation. This theory is heavily informed by Bourdieu's notion of habitus, and his belief that formative socialisation leads to the internalisation of oppressive externalities. As he explains, subjects take the world for granted because, "their mind is constructed according to the cognitive structures that are issued out of the very structures of the world" (1992, p. 168). In short, symbolic violence works through us all, and does not depend on the suppression of the will, because it is involved in the will's constitution (Bourdieu & Wacquant, 1992). With this in mind, I would suggest that large parts of prostitution are made intelligible by the contingent signification of the phallus as a body part which confers certain tendencies, proclivities, and desires on he who possesses it – and the relation of domination subsequently created (Bourdieu, 2001). I would suggest that the highly gendered nature of prostitution is a consequence of a naturalised and de-historicised belief in the animalistic, unquenchable, aggressive character of male sexuality which, in turn, validates the mass commodification of female corporeality (Papadaki, 2012) and discourses of a male sex right (Miriam, 2005; Pateman, 1988) (see Chapter Eight). In turn, I would suggest a woman's doxic acceptance of this as natural, and a man's decision to exert his sexual rapaciousness in accordance with the symbolic representation of his masculinity, constitutes a form of symbolic violence.

It is important to note, within Bourdieu's work, the necessity of not just consent to symbolic violence, but complicity. Complicity expressed through acceptance and reproduction of the principles of domination via discourse, actions, sex. And, by relating this to gendered subjugation, I am conscious that I am articulating a well-rehearsed feminist refrain. As I intimated in Chapter Two, the notion that women have been complicit in their own subjugation is not new, and in raising this point I am reminded of the words of Jennings, who summarised the point as follows:

"I am surprised the patriarchy has not yet erected a monument to 'Consent,' inscribed with the words, 'without which none of this would have been possible.' Perhaps no other concept has confused so many people for so long. Women 'consent' to: a lifetime of unpaid domestic and sexual service (she wanted to get married); badly paid monotonous work (she took the job); clothing which restricts movement and damages health (no one marched her to the shop at gunpoint)" (cited in Overall, 1992)

I would also, at this juncture, like to highlight how commonplace symbolic violence is and how, by its very nature, pervasive. I do not conceive of women in prostitution as peculiarly predisposed to such things – in subscribing to the notion of symbolic violence, I cast myself as victim and perpetrator, as object and subject divided against myself (Bourdieu, 2001; Bourdieu & Wacquant, 1992). Here, I wish to move away from the normative implications of victimhood and complicity, as they cannot be translated intact when we conceive of violence in these ways. Bourdieu's rendering of the world, which sits in knowing challenge to narratives of liberalism, requires a radical rethinking of normative categories (Stringer, 2014).

How, then, does this assist with respondent concerns regarding the elision of rape with demonstrably consensual activities? In this regard, I must deviate from Bourdieu, who argues that "we cannot understand symbolic violence and practice without forsaking entirely the scholastic opposition between coercion and consent, external imposition and internal impulse" (1992, p. 172). I would suggest that maintaining a division between external imposition and internal impulse, is integral to a nuanced and sophisticated understanding of lived experience, and not incommensurate with Bourdieu's position. With regard to Bourdieu's claim, I sense that he is attempting to achieve two things, the pursuit of which has caused him to overstate his point. First, Bourdieu is keen to oversee the theoretical disillusion of dichotomies and "false

antimonies” (Bourdieu & Wacquant, 1992, p. 10) and to present his theory as radical in this regard. Here, he is distancing himself from theoretical discourses organised around the entirely voluntary subject, who stands in oppositional binary to the socially determined subject (Topper, 2001). Second, he is clearly trying to facilitate the problematisation of the social fabric, in an attempt to redress the failings of liberal narratives, which predominantly focus on the tyrannical suppression of will. In response, I would suggest that it is possible to problematize two things concurrently. It is my contention that the existence of the habitus – comprised of inclinations, desires, and beliefs– necessarily means that some things will be experienced as an affront. To be able to differentiate between what is desired and what is not, is to be able to identify some things as unwanted (e.g. interpersonal violence). In short: whilst interpersonal violence is an affront to habitus and the ‘quasi-conscious’ dimensions of our personhood, symbolic violence is the cloth from which habitus and our consciousness is cut. And so, according to the lived experience, interpersonal and symbolic violence are distinct. And as I have already argued, the lived experience is an empirical reality, from which we should not shy. In any event, in differentiating the conscious from the unconscious, one need not lose the problematisation of both. But in differentiating one from the other, one may better understand how to address each ill – symbolic violence cannot, in and of itself, be meaningfully criminalised, and rape cannot and should not be dealt with by social change alone.

What of the normative value of this type of conceptualisation? From a theoretical standpoint, conceptualising consensual acts of prostitution as symbolic violence, rather than as a conducive context (as proposed by Kelly), would allow for a circumvention of the relative failings of theories of conductivity: in short, to view prostitution as problematic insofar as it is associated with violence, *might be* to frame prostitution without violence as relatively unproblematic. With that said, I am – in concord with many interviewed respondents – troubled by the political implications of undermining women’s subjectivities. My intent, in presenting an alternative framing of prostitution, is to explore how both the conscious and unconscious function within prostitution, to honour and recognise both. But I understand that it is difficult to successfully sustain/defend what is essentially a critique of macrosystemic inequality through an exploration of micro-level interactions, in a neoliberal policy context so prone to individualisation and responsibilization. As Munro and Scoular (2012) suggest, in their work on the use of the vulnerability in prostitution policy, progressive theories must contend with the possibility of resignification when introduced to policy systems, and any narrative susceptible to individualisation, must be treated with particular scepticism.

Separating the Sale of Sex from Violence

Concerns expressed regarding the elision of rape/consensually sold sex, were not wholly necessary, however, as many abolitionist respondents - who supported prostitution’s inclusion in VAWG policies - *did not* conceptualise prostitution as violence against women in an absolute sense. Many took a more nuanced and critical approach. The following excerpt is interesting insofar as it highlights this position *and* the existence of intramural tensions, regarding the question of how precisely prostitution should be understood as violence:

Hewer: “So, you would understand prostitution to be a form of violence against women?”
VAWG Charity Officer, Abolitionist: “So our organisation does, for me I would say that it is, as I worded it before I would say that it is something that **inherently contains violations and violence for sure and other violations of other women and girls**. So I don't think that the act of prostitution is necessarily an act of violence or an act of violence against women but I think you are extremely likely to experience violence if you are involved in prostitution. But the position of my organisation is yes that it is violence against women and girls as such.”

Hewer: “OK, so why do you feel you differ...”

VAWG Charity Officer: “I think that me and some of my colleagues - and I don't know if it is a generational thing - I think part of it has been perhaps the way that the debate has been going, the way that the debate has been so sharp for lack of a better word, that really forces you to refine what you're saying - and not censor but really refine and say 'Ok, what are we actually talking about - is it in every single instance, is it violence, is the person always experiencing violence or is it that the overwhelming majority experience violence?' For me I would say the latter, just because I have to keep in mind that for some people I do believe that they don't necessarily experience it as violence - they don't experience the sex acts as violence, I think I would keep in mind that if - that people do have different relationships to sex, and I don't mean if you have been abused forever that you think its ok, not in that sense, but really just a very different relationship to sex than maybe I would imagine, I would be used to. So in that sense I have to keep that kind of whole - just in-case there are there people who don't experience it fully as violence. I think that is why I use the terminology that I do.”

This excerpt is notable for a number of reasons. First, this abolitionist respondent echoes a number of PSWR coalition members, as well as the ambivalent members of her own coalition, and frames individual lived experience as epistemically primary in the identification of violence. In contrast to PSWR respondents, however, she does so without forsaking prostitution's inclusion in VAWG policy narratives entirely. She achieves this middle ground by rejecting frames of prostitution which represent the phenomenon itself – in all its granularity and nuance – as an absolute form of violence; and argues instead that the violence which occurs within prostitution is inherent to it. Notably, this framing of prostitution, mirrors the frames promoted in abolitionist arguments regarding public policy (see section 7.2.4). In sum, both represent prostitution as problematic on a macrosystemic level, without relying on a problematisation of every micro-level interaction. Here, then, this respondent similarly relies on notions of relationality, on the idea that the disadvantaged are affected by the behaviour and choices of the advantaged, that suffering and success are co-symptomatic. I draw this out to make the perhaps straightforward, though nonetheless important, point: prostitution as an industry (inherently problematic) cannot exist without prostitution as a micro-level interaction (not necessarily problematic). Prostitution as an industry is not like a building with structural flaws, which continues to exist when there is nobody in it – the existence of macro-level prostitution is predicated on the involvement of multiple and variously positioned micro-level individuals and interactions. Thus a web of relationality, punctuated and infected by the problematic, is a precondition for understanding systems of macro prostitution as inherently violent.

Over and above this, and as discussed in Chapter Seven, this affirms that some abolitionists conceive of prostitution as consented to. In addition, this respondent notably attributes her adoption of this position as consequent to the ‘sharp’ character of related debates. This suggests that the framing dynamics of the contest studied may have influenced its substantive content. This is a matter I discuss in more depth in the next chapter. Finally, the above excerpt supports my contention that an intramural framing dispute – organised, at least partially, around the relative epistemic weight of individual perspectives - exists within the abolitionist coalition. Here, the VAWG Charity Officer identifies herself as dissenting from the organisation she represents. In what follows, I trace the other side of this dispute.

Framing the Sale of Sex as Violence

As already intimated, not every abolitionist respondent distinguished between the problematic macro, and the not-necessarily problematic micro. Indeed, there were a handful of abolitionists who did - in contradiction with their above cited colleagues, and with varying degrees of certainty - frame every micro

act within prostitution as problematic. In sum, some abolitionist respondents represented the sale and purchase of sex, per se, as violent:

“I have kind of surprised myself in how far I have moved to a place where I would say, the (All Party Parliamentary) group would not say and the (*Shifting the Burden*) report did not say, but I would say the prostitution is a... the act of purchasing sex and having penetrative sex is a form of violence, that there is something inherent in the act where there is a commercial sexual exchange which makes it violent. Because I think that as soon as money is on the table the notion of choice goes, explicit in that contract is the notion of choice has gone”

Shuker, Abolitionist

Hewer: “If a man decides to buy sex from a woman in prostitution, that woman consents and there is no very clear act of physical violence resulting in somatic harm: is that an act of violence?”

Green, Abolitionist: “Um, that is a really good question. What I would say to him is, why do you want to do this and what do you think you will get out of it, why do you feel entitled to do it, why do you think it is ok for you to do that? Do you know anything about the woman that you want to pay to commit this very intimate act, this very meaningful act with? I don't mean meaningful in a holy sense, I mean in the social sense, socially. Do you know anything about her, do you know where she is from, do you know why she has ended up in this situation... not ended up she might be totally wealthy and in a penthouse in West London - nevertheless, do you know anything about her, can you really gauge what the possible experience will be for her as a stranger to you and do you, and have you thought about those impacts, have you thought about them in a social context? Do you care? Or do you just feel entitled and you're not bothered about what the impact might be?”

Hewer: “And if he said, I just feel entitled, I am not bothered by what the impacts might be - is that an act of violence?”

Green: “Yes, potentially yes.”

Hewer: “And if he says, no I love her and I can save her and I want her to be my pretty woman?”

Green: “Yes. It's abusive, its abusive because there is a lot of assumptions there and a lot of stuff that is wrong and doesn't work and that is still fundamentally built on women's inequality.”

Notably, not one of the respondents who articulated this position, explicitly represented all sexual intercourse within prostitution as rape. Those words were never spoken. As intimated, it is a matter of debate whether their position, nonetheless, amount to that. In any event, whilst Shuker's response appears nigh unequivocal, Green's exhibits a level of ambivalence – a fact best evidenced by the way she reframes the question posed. Is it violence? I ask. It's abusive, she responds. Additionally, Green 'hedges' her first response with the word 'potentially'. The sale and purchase of sex, she suggests, is 'potentially' violent. This ambivalence and hedging arguably evidences some level of discomfort with the frame she appears to be articulating. Notably, in the above excerpts, Shuker (like the VAWG Charity Officer) alludes to the intra-mural dispute I have highlighted. Whilst the All Party Parliamentary Group he chaired published a report recommending the increased criminalisation of men who bought sex (APPG on Prostitution and the Global Sex Trade, 2014), it refrained from doing so on the grounds he articulates – that prostitution is inherently and absolutely violent.

Reasons for Inclusion

Thus far, I have explored abolitionist frames of prostitution, with regard to VAWG, in general terms. I have traced two ways in which abolitionists represent prostitution as amenable to inclusion within related

narratives, suggesting that whilst some view the prostitution en masse as inherently but not absolutely violent, others view the sale/purchase of sex as violence per se. Beyond these more general discussions, largely organised around the relative epistemic centrality/inconsequentiality of individual subjectivity, abolitionist respondents elaborated on their representations in more substantive terms, as I will now discuss.

Inviolable Rights

A number of abolitionist respondents (n=5) framed bodily integrity as an inviolable right, which could not and should be contracted away, commodified or otherwise violated. Any such violation, they felt, could constitute violence:

“So I think simply doing that is a form of exploitation, I would like to say enslavement, and if people say, ‘Yes I am quite happy to be a slave... I am quite happy to be abused’ – that doesn’t, that is an inalienable right, you can’t give it away. So that is how I feel about it”

Senior Civil Servant (Retired), Abolitionist

“Because I think it institutionalises control over somebody else’s body, even if there is an exchange of money, it is saying that you can take control over this. Now a lot of prostituted women will say that ‘actually I don’t let him take complete control over my body, I have rules and things that I won’t do’ and that is true. But first of all those rules are often breached by the john, secondly I kind of think, I think that sexuality is an expression of identity and that you can’t rent out your identity and that actually it damages your identity to rent it out and therefore we should not tolerate renting it out in that way”

MacTaggart, Abolitionist

“It is sex as a commodity, I don’t think that it should be a commodity, people should not be bought and sold”

Hardie, Abolitionist

Clearly, this is an approach which frames every interaction within prostitution as violent – regardless of whether or not such interactions are consensual. It is not however, and as discussed in Chapter Seven, one which frames women in prostitution as unable to choose. The concept of inviolability speaks, theoretically, to debates regarding euthanasia and sadomasochistic sexual activities (e.g. BDSM) (Tadros, 2011). In short, such debates pivot on the question of whether the inviolability of the body should supersede rights of autonomy. Here, respondents suggest that it should and, in so doing, ignore the potential choices of women who sell sex. In turn, respondents draw a normative distinction regarding what should, and should not, be done to the body. They argue, in short, that we should – as a rule - impede its commodification and sale. In turn, they suggest that violation of the inviolable, is violence. Here, then, respondents, once again, partially echo feminist scholars, like Radin (1987) and Pateman (1988), who argue that sexual services cannot be severed from the body and sold, that bodily integrity should be conceived as inviolable, and that on these grounds prostitution is unacceptable.

Violence to Women as a Class

A number of abolitionist respondents (n=4) advocated for prostitution’s inclusion in VAWG policies on the grounds that it was harmful not only to women involved in the sale of sex, but to women in general or – as MacTaggart phrased it – women as a class.

“And then I would say that prostitution is harmful to the people involved and harmful to the wider society and I would say that some people are profiting from that which is a form of exploitation. So the whole structure is interlinked to be discriminatory and to have a disproportionate impact on women and to disproportionately benefit – or so called benefit

– some at the expense of others and that is exploitative and that is where it fits (in the VAWG agenda)”

Harvey, Abolitionist

“I think that for a woman to choose to market herself, the consequences for women as a class are serious”

MacTaggart, Abolitionist

These excerpts arguably speak to concepts of structural and/or symbolic violence, and therefore in contrast to more generic claims regarding discomfort with theories of social violence. With regard to structural violence, respondents may conceptualise the illicit sex trade as a structure unto itself, and as embroiled in a complex web of relationships with other structures (e.g. the employment market in general). If any such structure were to organise women’s lives in such a way that the “the distance between [her] potential realisation and [her] actual realisation” (Galtung, 1969, p. 168) was increased, then violence would be done. Alternatively, respondents may have been conceptualising prostitution as symbolically violent. Here, the illicit sex trade would be understood to variously produce and reproduce the symbolic structures of various social fields (and, subsequently, multiple habituses,) in such a way as to contribute to the domination of one class of individuals (women) by another (men). What is clear, however, is that these respondents viewed prostitution as causing violence beyond the bounds of prostitution itself. In turn, I would suggest that these excerpts once again highlight the conceptual tensions and ambivalences regarding classifications of phenomena as violence per se, or as causally/contextually related to violence. Is prostitution simply violence to all women, or is it a causal factor in, or conducive context for, the perpetration of other violence? Finally, I would suggest that these excerpts similarly contribute to arguments regarding the need to problematize prostitution on the grounds of public interest, or for public policy reasons. In this vein, MacTaggart’s claim that women who sell sex perpetrate a kind of violence against women as a class, somewhat mirrors Florin’s (2012) reading of Swedish approaches to prostitution. As discussed in the introductory chapter to this thesis, Florin suggests that Sweden’s problematisation of prostitution by reference to its structural implications, creates victims by ‘analogy’ and subsequently implies that “individual women can actively contribute” (2012, p. 276) to violence against women as a collective. In turn, this once again raises questions regarding what, precisely, individuals can be held accountable for, when they are understood to be involved in relational forms of subjecthood (Butler, 2014). This is a significant political and normative issue, which – though briefly alluded to in Chapter Two – falls largely beyond the purview of this thesis.

Associated Violence

Finally, a significant number of abolitionist respondents represented prostitution as associated with interpersonal physical, sexual and emotional violence.

“So you have got the fact that there is a huge level of violence associated with the selling of sex, so virtually all women who are asked the question – who have worked in prostitution – will say that they have been raped, attacked and in my view the evidence shows that it is not just the fact that it is illegal in many contexts, that’s happened”

Senior Civil Servant (Retired), Abolitionist

“...we should never ever ignore the fact that he squeezed her breast so hard that he bruised her, that he forced his tongue into her mouth when she wasn’t consenting... they are all additional criminal acts. And we need to have it within the violence against women act, or we will never ever understand it as a cause and consequence of women’s inferiority to men under a system of patriarchy”

Bindel, Abolitionist

Here, then, prostitution is not represented as a form of violence per se, but rather as providing a space – a conducive context – within which interpersonal violence can, and does, take place. On these grounds, it was suggested, prostitution belonged in VAWG narratives and attendant policies.

10.3 Conclusion

This chapter has discussed prostitution's discursive inclusions in, and exclusions from, policy narratives of VAWG. It began with an analysis of the three policy documents selected for study, and then embarked upon an exploration of respondent representations. I began by suggesting that prostitution's inclusion within Westminster policies was unstable and oscillating - insofar as selling sex appeared to be framed as interrelated to VAWG, within the New Labour policy document *Together We Can End VAWG*, but as conceptually disconnected, within the Coalition's successor policy, *Call to End VAWG*. Then, in a later Coalition policy – and apparently in response to stakeholder pressure – prostitution appeared to re-enter discussions of violence. No policy document, however, explicitly articulated grounds for inclusion/exclusion. It was not clear, for instance, whether, in instances of inclusion, prostitution was viewed as violence per se, or somehow causally/contextually related to violence. This echoes other ambivalences (e.g. regarding sexualisation) within the same documents, as discussed in Chapter Nine.

Following this, I explored representations promoted by PSWR respondents and presented evidence to suggest that members of this coalition strongly opposed prostitution's inclusion in VAWG policies, principally on the grounds that any such inclusion would undermine the individual subjectivities of women selling sex. In turn, I suggested that the ferocity with which these respondents countered prostitution's inclusion in VAWG narratives, was at least partially attributable to the perceived politicality of such narratives. This contention was given weight by evidence that some PSWR respondents felt they might support inclusion, if they were able to control and modify VAWG narratives more broadly.

I concluded by discussing how abolitionists approached the question of prostitution's inclusion within narratives of VAWG. Here, I traced the discursive fault lines of an intramural dispute, at least partially organised around disagreements over the epistemic validity of victim subjectivities. For whilst some respondents feared that including prostitution in narratives of VAWG might discursively elide consensual sexual congress with rape, and thus fundamentally undermine women's rights to self-define, others framed prostitution *en masse* as violence, but countered narratives which framed all microsystemic acts as such. Others still framed individual subjectivity as incidental – often on the grounds that sexuality was inviolable. In tracing these varied and many narratives, I demonstrated that abolitionist approaches to prostitution, and its inclusion within VAWG policies, are complex and heterogeneous – variously informed by contested notions of subjecthood and a range of understandings of violence.

PART FIVE - DEBATE DYNAMICS

In this Part, I move away from an exploration of the substantive content of frames and discuss, in more general terms, some dynamics of the framing contest studied. In what follows, I explore how respondents represented prostitution policy-making processes, as well as techniques they deployed in attempting to negotiate them. In so doing, I draw heavily and explicitly on sociological frame theory, (see Benford, 1997; Benford & Hunt, 1992; Benford & Snow, 2000; Knight & Greenberg, 2011; Mor, 2012; Williams, 1995). Whilst this Part contains the last of my findings chapters, it also serves as an introduction of sorts. My research has yielded rich and vibrant data - regarding the way policy-actors and documents, interpret and represent prostitution - but it has only begun to scratch the surface of how those stories are promoted by advocacy coalitions, and received by key audiences (e.g. senior government officials outside the policy subsystem). As I intimated in Chapter Five, I believe more work needs to be done to explore how respondent discourses were translated (if at all) into policy documents, and how respondents worked to shape these processes (if at all). As previously noted, more research on policy-brokers might effectively initiate this program of work. In short, this thesis explores the nature of frames by reference to their social and political context, but has only begun to answer if and how such frames are effective, in a political sense. The following chapter, then, should be read as indicative of the type of inquiry I hope to pursue, in order to usefully elaborate on the work I have already undertaken in this thesis.

Chapter Eleven – Strategies and Insults

In this chapter, I explore the procedural dynamics of the prostitution framing contest, discussed throughout the course of this thesis. In the first section, ‘Observations and Strategies’ I suggest that many interviewees entertained sophisticated understandings of the policy subsystems they inhabited, as well as the discourses functioning within them. In this regard, I propose that respondents were *both* the politically savvy agents of sociological frame theory (SFT) (Benford & Snow, 2000; Williams, 1995) *and* the pre-reflexive subjects of critical discourse analysis (CDA) (Bacchi, 2005; Fairclough, 2010). In the second section, ‘Contention and Credibility’, I argue that contested policy discourses were mediated by more than differing frames of prostitution, and that they were influenced by how respondents represented one another, and the field of debate. In sum, I argue that, in order to obtain a thorough and nuanced understanding of the way prostitution is represented, it is necessary to transcend explorations of content and investigate the *processual activities* associated with discursive construction/framing (e.g. frame promotion). In addition, this chapter provides some evidence to support the contention I made in Chapter Four, namely that by bringing CDA and SFT into dialogue, a fruitful theoretical space is opened. It does so, in part, by showing ways in which my respondents behaved ‘quasi-consciously’ (Bourdieu, 1977). I suggest, in short, that the discursive strategies deployed by respondents, to promote their frames to key audiences, *may have been* grounded in pre-reflexively entertained ideological discourses, as well as subconscious understandings of the conceptual social field (e.g. a feel for the game) (Bourdieu, 1977; Bourdieu & Wacquant, 1992).

11.1 Observations and Strategic Processes

In this section I discuss how respondents interpreted the policy systems they inhabited, and how they consequently sought to negotiate them. More often than not, it was abolitionists who spoke – spontaneously – of the dynamics of the political field. More work would need to be done, then, to explore how PSWR respondents understood/engaged with framing environments. In any event, in discussing the nature of their political systems, a number of abolitionist respondents expressed the belief that their ability to successfully promote their favoured framing of prostitution, was curtailed by capitalist and masculinist dominance (both material and discursive). More often than not, this dominance was attributed to both unequal descriptive representation (Mackay, 2010) and vested interests (Williams, 1995) in politics:

“There are powerful people in local areas who are senior council officials, senior police officials, senior court people who use prostitutes, exploit women, are porn users and sometimes are domestic violence perpetrators”

Hardie, Abolitionist

“Well, this sounds a bit flip, but the first thing that comes to my mind is that [the historic difficulty in problematizing buyers] was because it was the men who were buying the sex who were making the policy”

Smith, Abolitionist

“And I think that when it actually comes to challenging them to look at the buyers or the pimps or the managers...when it comes to looking at the buyers who are almost entirely male obviously, they can’t make that leap because it is picking on your own”

Harvey, Abolitionist

And in journalism/the media:

“Journalism has, in the last twenty years or so, become yet more composed of more privileged people than it used to be – as in more educated, middle class, more limited social groups and so on... And the set of people doing it are less in touch with different people’s lives and I think that is actually, that is also, that is likely to be the problem in not being able to perceive properly and delve into the complexity of something like prostitution”

Green, Abolitionist

“If you attempt to talk about power and money or about things that you can evidence, it stops being recorded and I think that people get very nervous – a lot of media get very nervous... I think an awful lot of journalists are aware of quite how influential the porn lobby are, they have a massive amount of control and ownership of the media internationally... Which means that the debate tends to get focused on... they want me to talk about Sadie Frost’s bra and whether or not it is too frilly and they will be happy to talk about an individual bad extreme man who gets thrown to the lions”

Hardie, Abolitionist

These excerpts, and analyses of the political field, are interesting for a number of reasons. They reflect a roughly critical or feminist analysis of power dynamics: insofar as respondents problematized the way cultural production, institutional configuration, and symbolic representations structured power and (dis)advantage (see Crenshaw, 1991; Fineman & Gear, 2013). In turn, I would suggest that these analyses are largely commensurate with the ideological lens deployed by abolitionists in preceding chapters. Just as prostitution was understood as causally related to macrosystemic forces and gendered power asymmetries (see Chapters Six and Eight), so were framing contests. Secondly, these excerpts partially reflect the kind of analyses both sociological frame theorists (Benfords & Snow, 2000; Swidler, 1986) and critical discourse analysts (Fairclough, 2010; Goodwin, 2013) offer regarding the context within which certain discourses become (un)successful. Both schools of thought posit that the relative success of any given discourse/framework depends - at least partially - on the degree to which it reflects the interests of dominant parties. This, arguably, demonstrates that respondents were functioning as ‘active users of discourse’ – insofar as they were exploring and analysing forces which made their framing attempts more, or less, successful.

There was also evidence to suggest that respondents actively modified their frames in order to circumvent the dominant discourses which they believed might suppress their ability to speak and be heard.

So there has been a kind of changing of the discourse around that but cleverly through using demand rather than through the language of male sexual entitlement - and that is what I mean about being strategic, that was such a clever move to encapsulate it in this idea, an idea that has already a whole discourse surrounding it within economics... Because it has allowed for it to be now almost legislated against, to the extent that international law can be considered legislation and we can hold our governments to account for the fact that they haven't done anything about it.

Kelly, Abolitionist

In this excerpt, Kelly suggests that - in tactically avoiding a discussion regarding male entitlement, and instead problematizing purchase by reference to ‘demand economics’ - abolitionists circumnavigated a direct challenge to masculine dominance. Here, then, she appears to echo Goodwin’s (2013) claim that the success of a gender-related policy depends, at least partially, on its ability to leave men relatively undisturbed. Arguably, Kelly’s disclosure sheds some light on my explorations of *Tackling Demand*, contained within Chapter Eight. There, I argued that problematisations of demand focused too heavily on the indirect consequence of sex buying, whilst omitting to discuss the issue in more candid terms. Here, Kelly appears

to suggest that abolitionists may have played a role in promoting these representations. Of course, it is very difficult to know what policy would have resulted had abolitionists taken a different approach.

In any event, this was only one of many examples of abolitionists discussing ways in which they had modified their language, in order to more successfully promote their cause. To illustrate, a number of abolitionist respondents paid particular regard to the importance of ‘selling’ their framing of prostitution. Often, I was informed, they sought to use terminology they felt was more ‘accessible’ to any given audience and to avoid terms they believed would be off-putting to others.

“So, words like capitalism and patriarchy are not ones that I regularly use... they are not words that I apologise for using... they are not words that Object would put in a memorandum, they are not words that we would shy from in that anyone from the Board would have a problem, I suppose that it is just accessibility in terms of how we describe what we are doing”

Hardie, Abolitionist

“Some people use violence and some people use abuse. I would be, because I am working in campaigning, so I am often in public mode trying to influence, my inclination is to use terms that are understandable and accessible because that is important. People must understand what you are talking about, if you want to bring them with you. So actually, I would go between the two terms depending on where I am speaking”

Green, Abolitionist

Smith, Abolitionist: “I think [vulnerabilities] are created by, in crude terms I think they are created by patriarchy and by economic inequality.”

Hewer: “Do you feel that was reflected in the policies that you were able to create whilst you were in office?”

Smith: “Well I didn’t say it like that while I was Home Secretary but I thought it like that. Because if I had said it like that, frankly, people would have stopped listening”

Here, then, respondents discuss the strategic attempts they made to maximise the narrative fidelity of their frames, by consciously appealing to dominant discourses and culturally recognisable lexicons (Williams, 1995). In essence, by avoiding the language of critical social theory/feminism (e.g. patriarchy), they sought to ensure that their representations would be received as culturally resonant by different audiences (e.g. governments, the public). Here, I would speculate that respondents were exhibiting knowledge (conscious or otherwise) of the relative hegemony of (neo)liberal frames - which rely on discourses of individualism and subsequently reject notions of macro-systemically ingrained (dis)advantage (e.g. patriarchy). A more thorough exploration of how respondents approached ‘accessibility’ would be required before any confident inferences could be drawn, however. In any event, Green’s disclosure that she strategically changed the terms she used, dependent on who she was speaking to, provides evidence of Benford and Hunt’s (1992) proposition that movement actors tailor their frames in anticipation of different audiences. These actors, they suggest, promote varying representations dependent on who is perceived to be listening - in order to optimise the overall chances of successful frame promotion.

What was not made clear within the interview space, was how respondents came to know that strategies of frame modification might be politically desirable – how they became acquainted with the rules of narrative fidelity and cultural resonance, was not immediately apparent. Perhaps it was via pedagogical engagement. Perhaps it was subsequent to a process of trial and error (Sabatier, 1988). Perhaps it resulted from a form of dialogic socialisation - through which communicational success/failure within interpersonal relationships, influenced the consciousness of the subject (Barnett et al., 2008). Further research would be

required to fully understand the dynamics at play. At this juncture, however, I would like to suggest that the application of Bourdieusian sociology might help here. In summary, Bourdieu suggests that subjects come to understand the character and laws of a conceptual social space (e.g. the field of knowledge/policy production) through an immersive process of pre-reflexive socialisation, which subsequently forms the habitus (see Chapter Two). He calls the resulting effect '*le sens pratique*' - most commonly translated as a 'feel for the game' (McNay, 1999; Topper, 2001). As McNay explains, "*le sens pratique*... [is] a pre-reflexive level of practical mastery... It is a mode of knowledge that does not necessarily contain knowledge of its own principles... and is constitutive of reasonable but not rational behaviour" (1999, pp. 100–101). According to this framework, then, possession and articulation of culturally resonant frames would function as a form of symbolic capital, which would – in turn - allow for a degree of success within the field of knowledge production. In turn, by pre-reflexively utilising their 'feel for the game' respondents might, in fact, be *strategically* seeking to maximise their capital by *pre-reflexively* adhering to a contingent set of social laws they came to know through habituation.³⁸ Here, then, they would be behaving quasi-consciously.

In turn, by modifying their frame to maximise its symbolic value/cultural resonance, respondents played by the rules of the game, and submitted to the structure of the field. In so doing, they arguably worked to reproduce the structures which functioned to their detriment, and did not challenge their organising tenets. But what choice did they have? To deviate too significantly might have been to render themselves ineffectual, to disqualify themselves from the political game. Put plainly, to ignore the need for cultural resonance might be to construct oneself as a fringe, rather than a central, political player (Benford & Hunt, 1992). As Bourdieu and Wacquant (1992) suggest, "resistance can be alienating and submission can be liberating" (p.24). Nonetheless, one wonders about the fine line activists must walk when attempting to play the game, to be included. At what stage does one begin to reproduce the hegemony one intends to resist? This was a tension about which some respondents were cognizant:

So one of my jobs on the [redacted]... we were trying to get in to see Treasury, so I was trying to frame all of our briefings and all of our narrative in the language that at that point, when Gordon Brown was chancellor, I knew that they would engage with, which would make them think this is something here and the same thing applies to the VAWG situation. You have to decide what you are prepared to give up, and actually I am less inclined to give these things up now because I have become more convinced that if you just accept the government's narrative you do sell out more than perhaps you think you are.

Senior Civil Servant (Retired), Abolitionist

Here, the respondent analogously reflected the concerns expressed by Smart (1990) and Kelly (1988) regarding feminist engagements with the criminal justice system – namely, that in seeking small and qualified wins, an activist might surrender too much. In any event, here – as before – this respondent evidences a critical and active engagement with discourse, frame promotion and its potential consequences.

In sum, then, abolitionists showed a high level of reflexive engagement with the discursive dynamics of the policy subsystem, within which they sought to promote their interpretations/representations of prostitution. They were critical of the discursive space afforded by the subsystem, insofar as they felt it reflected masculine and capitalist interests. In offering such critiques, they appeared to advance representations of the political field commensurate with their broader understandings of social phenomena (e.g. gender inequality). This, I would suggest, may have resulted from a pre-reflexive engagement with their interpretivist lens. In turn, this analysis provides weight for my contention that CDA and SFT can coalesce

³⁸ Clearly, the line between what is engaged with strategically, and what is engaged with pre-reflexively, is fluid and shifting – how we *know things* changes as we learn.

usefully. Finally, they sought to navigate the field – of which they were critical – by modifying their frames, omitting words and amplifying the cultural resonance of their narratives. How, precisely, they came to understand the possible desirability of this form of promotion, remains a matter of debate. I, however, would suggest that the Bourdieusian concept of ‘le sens pratique’ might prove theoretically salient in future explorations of this phenomenon.

11.2 Contention and Credibility

One striking facet of the framing contest studied was how emotive and contentious prostitution policy debates had become. Whilst I was not entirely unprepared for this (it reflects academic observations of feminist debates regarding prostitution (see Chapter Two), as well as my previous exposure to the political field), the ferocity of feeling periodically made for an uncomfortable research experience. I am naturally conciliatory and fear the personal implications of conflict, particularly within the context of a professional space. I feel it is important to be liked, to hide one’s unsavoury emotions and I view conflict as potentially dangerous - as a risk to my personal integrity. In any event, this discomfort provided an initial impetus for objectifying the contention, for making it a ‘researchable object’ (Fairclough, 2010). Intellectualising seemed to create a distance, seemed to allow for safer engagement. Rather than being a party to debates, and therefore at risk of attack, I could see myself as an outside observer - a foreign correspondent, covering a civil war. With that said, close study and analysis of the nature of the conflict yielded some interesting findings.

The contention and controversy of the framing contest frequently bled into respondent interviews in ways transcription failed to capture. At times, emphatic responses and increased volume indicated dissatisfaction with an antagonist situated outside of the interview space. At others, a latent and simmering atmosphere of distrust indicated misgivings about me. In addition, respondents frequently referenced the combativeness of the debate, explicitly. They stressed, first, that the political field was aggressive and, second, that it was highly divided:

“This is an arena where interactions in the past have been so toxic and so unpleasant that there are two sides which are now incredibly defensive whenever they are sharing a space – and I would be defensive as well, I don’t choose to speak that much publically about it because I have actually found it too toxic – and then you have got a whole mass of people in the middle who don’t want to take either of those positions but feel that there is no ground for them to engage in a conversation even”

Kelly, Abolitionist

“If you are involved in this, then you are involved in this. If you are involved in this, then you are fucking going to the front line and you fight.... It is proper fucking gloves off time. It’s punchy. It’s really, really punchy and stressful”

Perry, PSWR

“And there is no meeting of minds. I have been in the room with the different sides of the debate and trust me there is no common ground and actually there is little respect from the different sides of the debate for one another”

Armist, PSWR

In addition, the policy documents studied made repeated reference to what the *Coordinated Strategy* calls the ‘sharply differing views’ of stakeholders. *The Review*, in particular, made recurrent allusions to the dividedness of the debate, noting that local council attitudes to prostitution differed largely due to “different

ideological” or “philosophical” approaches. Perhaps, however, the most telling indicator of contentiousness (and a potential cause) was the frequency with which actors engaged in *ad hominem* attacks designed to undermine the members of opponent advocacy coalitions by querying their credibility, rather than their representations. This was an activity in which abolitionists and PSWR advocates both engaged. Both drew from normative narratives of credibility regarding what constituted expertise, trustworthiness and moral righteousness (Knight & Greenberg, 2011; Mor, 2012), though they did so in subtly different and potentially telling ways.

To illustrate, a number of PSWR respondents (n=5/8) sought to undermine the credibility of their abolitionist counterparts by impugning their expertise. They did so by epistemically privileging lived experiences, and suggesting that those who opposed prostitution commonly lacked relevant experience or an appreciation of relevant experience.

“I think that there is a bit of – I don’t like the word ignorance – but a bit of a lack of understanding and of speaking to sex workers, and a traditional notion of women seeing women as more vulnerable than they are”

Scot-Pep Board Member, PSWR

“Often those labels are used by people who haven’t got any experience of the sex industry and don’t really know any sex workers”

Ayres, PSWR

“People who struggle with sex work are really, really unable or unwilling or unworldly enough that they just haven’t been able to develop a perspective around human sexuality or sexual behaviour”

Perry, PSWR

Thus, the abolitionist position is destabilised not by mention of its particular failings, but rather on the grounds that it is founded in illegitimate knowledge generating techniques and faulty expertise. In turn, PSWR respondents appear to draw from their broader ideological commitment to awarding the lived experiences of women centrality within all aspects of the prostitution debate (see Chapters Seven and Ten). Relatedly, PSWR respondents frequently charged abolitionists with giving their own (irrelevant) subjectivity, too much credence and, in turn, making false inferences, e.g. because I would not do it freely, nobody would.

“I think that people coming from a privileged position – I don’t mean economically privileged – saying ‘because I personally wouldn’t do that, they couldn’t personally make that choice legitimately’. I think you have to give people their agency”

Feis-Bryce, PSWR

“I think it is because people who have any kind of... often people who have an analysis of this from a particular lens, through a particular lens, place themselves in the position of the sex worker and they say ‘I wouldn’t make that choice, I would have to... some people would have to be holding their rancid dog to my throat’ and they put themselves in that position and you can’t do that”

Perry, PSWR

Again, this queries representations not on their merits, but on the appropriateness of the knowledge gathering techniques deployed in their making. In addition, and as before, this kind of framing evidences the way normative narratives of knowledge production draw on ideological predispositions. Here PSWR respondents reiterate previous beliefs regarding the individual’s right to define what constitutes the good

life, free from communitarian constraint (Oshana, 2007). And as discussed (in Chapter Seven), this particular grounds of complaint may represent an example of a *differend*, of speakers speaking past one another due to their deployment of different ideological lexicons. Indeed, the notion of a differend was explicitly alluded to by one respondent:

So, so, I think that it is really messy in terms of the language and I think that these oppositional lexicons actually are part of reinforcing *our inability to speak*, the inability to speak about anything in which you might have any kind of agreement, because as soon as words are spoken....

Kelly, Abolitionist

This, incidentally, is the excerpt from which this thesis acquired its title. Here Kelly refers to the oppositional dynamics which mediated the interactions between coalitions (or their lack). She suggests that by speaking about, and representing, prostitution in different ways – and with different words – the two groups of policy-actors reinforce their inability to engage in fruitful dialogue. She suggests that any possible consensus is immediately stymied – that words become not tools for communication and shared meaning, but weapons which signal their end. Moving beyond Kelly’s immediate meaning, the phrase ‘our (in)-ability to speak’ seems to address other facets of this thesis. What does it say about our ability to speak, if we are subjects formed through discourse, and therefore essentially social phenomenon? Here I have suggested that it means drawing on, and contributing to, a plurality of macro-systemic discourses, not necessarily recognised or rationally subscribed to.

In any event, PSWR respondents also frequently sought to undermine the credibility of abolitionists by questioning their moral character and integrity. They did so by suggesting that abolitionist activists were indifferent to the suffering of women, and that their activities either sustained or increased such suffering:

“They are hell bent on campaigning to make our situation worse”

Watson, PSWR

“How many sex workers do they have to throw under the bus, how many lives do they need to say ‘well that doesn’t matter to me’ to make their ideological point that this is violence against women”

Scot-Pep Board Member, PSWR

“It is the collateral damage bit I don’t understand, when people from the VAWG sector and the anti-prostitution sector talk about things that we have to do to stop prostitution – you go, but yeah, you’re really going to hurt a lot of people in the sex industry and they see that as necessary. And that is unforgivable as far as I am concerned”

Perry, PSWR

Over and above painting abolitionists as uncaring, this type of ad hominem attack generates a sense of “image dissonance” (Mor, 2012, p. 394) – creating the impression that what abolitionists claim to desire (to help women), and what they do in practice, differs. In turn, this represents abolitionists as untrustworthy. This was, on occasion, a point made explicitly:

I kind of have a bit of... sympathy with the Violence against Women agenda sometimes because I really think that if they really are campaigning for the decriminalisation of the sale of sex, then they do actually include the decriminalisation of soliciting... but then I think when Rhoda Grant's bill came out to criminalise the purchase of sex, it was only an additional level of criminalisation - she wasn't looking at decriminalising any of the solicitation laws.

Scot-Pep Board Member, PSWR

Some abolitionists (n= 6/12) also sought to undermine the credibility of their opponents. They did so, almost entirely, by impugning the configuration of the PSWR advocacy coalition - suggesting that it was funded, or had been infiltrated by, vested interests (either the porn industry or the ‘pimp lobby’). The consequent implication was that PSWR advocates did not truly represent the interests of women selling sex.³⁹

“It is a big, difficult, longstanding problem but in that debate, definitely in England, the pro-porn lobby and the pornographers have bought into civil rights organisations and have influenced using money”

Hardie, Abolitionist

“I think there is a hidden hand of certain vested interests, I can’t prove this particularly, but I do think that there has been a kind of influence of the organised sex industry in a way that is difficult to trace, but I think it is there”

Kelly, Abolitionist

Williams (1995) identifies this form of *ad hominem* framing as a common way in which movements attempt to undermine the credibility of their opponents. He suggests that they rely on a juxtaposition between the public and private (individual) good – in which communal interests are held as more ethically significant than the special interest of a profiteering party. As such, this form of critique demonstrates how normative narratives of credibility draw from differing ideological precepts. By associating prostitution with larger scale corporate interests made intelligible by misogyny (e.g. pornography), abolitionists draw from the notion that the sale of sex is related to macro-level trends, particularly cultural/symbolic production. And by representing public interest as wrongfully beholden to individual interest, abolitionists advance a communitarian agenda commensurate with their previous position on public policy. Thus, both PSWR advocates and abolitionists viewed credibility through an ideological lens (which mirrored that which they used to interpret prostitution) and represented their opponents accordingly. It is also worth noting, at this juncture, that no respondent explicitly engaged with the idea that, in undermining the credibility of their opponents, they could undermine the credibility of their opponent’s frames. Rather, credibility talk appeared to be a more pre-reflexively engaged rhetorical strategy. I would suggest that Bourdieusian sociology might provide a theoretically illuminating explanation - that, in choosing to undermine the credibility of their opponents, respondents were drawing from their *le sens pratique*, a knowledge of the rules of the game, not consciously engaged with. I explore both this, and my former point, more fully in my concluding remarks.

In any event, *ad hominem* attacks and related activities were not, according to respondents, confined to the interview space. Numerous respondents (mostly abolitionists) told stories of abuse and silencing – of instances in which they had been actively prevented from speaking or suffered verbal attack for doing so.

“So within seconds of Object saying, this is great thank you to everyone who has helped us [in our campaign against Spearmint Rhino] including councillors and organisations and Kate Smurthwaite, from all over the world was Twitter hate aimed at Kate which culminated in student feminist activists cancelling her from a comedy event... What is interesting is just quite how it went from being how dare she support local communities

³⁹ The disproportionate space dedicated to PSWR ways of undermining credibility reflects only that they framed *ad hominem* attacks in a multitude of ways, whereas abolitionist attacks were fairly homogenous. The asymmetry is not a judgment on severity, commonality or noteworthiness.

and local feminist groups in questioning the relationship between Rhino and the porn industry to “she’s transphobic”. And, like, what? Where did that [come from]?”

Hardie, Object

“You get attacked in ways that are, I think, unethical. So, for example, we did a little piece of work for Glasgow City Council on lap dancing clubs a long time ago... and a letter was sent to the Vice Chancellor (of the University). So first instance to the Vice Chancellor. Asking whether we had gone through the appropriate ethics procedures. I mean, we do have whistleblowing in academia and we should have whistleblowing in academia – but you don’t start off writing to the Vice Chancellor”

Kelly, Abolitionist

“They kind of think I am evil and sort of say that I am a liar and that I want women to die – I have heard them say that”

MacTaggart, Abolitionist

“I am threatened, I have had rape threats, death threats, I have been screamed at and I have been physically attacked. I have been vilified on social media. My editors have all been complained to about me. I get very little but.”

Bindel, Abolitionist

It should be noted that, in some of these excerpts (notably the first and last) respondents were referencing the debate in broader terms – insofar as they were referencing attacks from PSWR respondents and other types of antagonist. PSWR respondents also reported silencing and abuse, though their experiences *appeared* comparatively milder:

Watson, PSWR: “We were taken off a platform at a University against Julie Bindel.”

Mitchell, PSWR: “Oh yeah, well she refused to...”

Watson: “She refused to be on a panel with us.”

Mitchell: “That has happened on more than one occasion.”

Watson: “And said that we were part of the pimp lobby.”

Mitchell: “That is what they call us.”

Perry, PSWR: “So they try to silence you in different ways but it is in professional ways. Not inviting you to meetings, not inviting you to be part of things when you are there, not allowing you to be part of the agenda, that kind of thing. I have never experienced what a lot of my friends and colleagues who are sex workers have experienced. Which is horrible, I have seen it happen to them. It’s disgusting.”

Hewer: “What happened?”

Perry: “Oh they are...there is a lot of eye rolling, a lot of tutting, people being accused of being pimps, just nasty. It is a veiled form of aggression and nastiness”

“There was a lady who is very senior in Feminista and the exited sex worker, and this was in a public environment – you may have been at this conference – this is, so there were about 200 people there, started talking about how difficult it was to get your voice heard when you are a sex worker. And the woman from Feminista with the power of the microphone interrupted her and – pardon my French – but said ‘it is very difficult to get your voice heard when you spend your life with a cock in your mouth’”

Armitt, PSWR

Overall, PSWR respondents interviewed for the purposes of this thesis *appeared* to suffer fewer, and less severe, ad hominem attacks than their abolitionist counterparts. I have contemplated this apparent asymmetry a great deal, and I have struggled to understand it. The vast majority of my respondents were, from my perspective, intelligent, compassionate and decent human beings, working hard to improve the

world – albeit in different ways, according to different political agendas. At no point did I sense that PSWR respondents were more callous, more *inherently* prone to issuing slurs; nor did my abolitionist respondents seem disproportionately saintly. I concluded, initially, that the asymmetry I detected may have been attributable to the small, and particular sample of people I spoke to or, indeed, to my own position – to my tendency to be personally insulted by negative framings of abolitionist activists. These explanations may continue to hold water. However, I would also like to suggest an alternative mode of understanding – namely that the relative prevalence of PSWR attacks can be understood by reference to the substantive content of PSWR frames.

PSWR respondents frame the ‘problem’ of prostitution as one of legal and cultural obstacles, which both prevent women from selling sex as their own free will dictates, and create a dangerous environment in which to do so. By attempting to prevent prostitution from occurring, then, abolitionists are viewed as more than opponents with a different understanding of the problem – *they are interpreted as the problem itself*. As PSWR respondents construe it, abolitionists stand, or attempt to stand, between a woman and her ability to sell sex without hindrance or judgment. In turn, they perpetuate a hostile legal settlement (e.g. decriminalisation) which is understood to (re)produce significant risks. In turn, by undermining abolitionists, PSWR respondents do more than attack the credibility of opponent speakers – they attack a facet of the problem they have identified. Abolitionists, however, primarily understand prostitution to be consequent to gender inequality, and other macrosystemic factors. For them, then, PSWR respondents are less the problem and more a cohort with a different understanding of the problem. This interpretation is strengthened when we consider the one way in which abolitionists sought to undermine PSWR respondents, e.g. by associating them with large scale corporate interests. This suggests, then, that abolitionists were somewhat less inclined to interpret PSWR respondents per se as problematic. In addition, abolitionists showed a more pointed tendency to attack actors they felt were entertaining masculinist ideologies, e.g. government bodies in which men were over-represented. What I suggest, then, is that – with regard to this policy subsystem – questions of credibility, and ad hominem attacks, were more complex, working not only to undermine promoted frames by undermining those who promoted them, but functioning to provide further support to the substantive frames themselves.

According to Benford and Hunt’s (1992) dramaturgical analyses, behaviours which silence (e.g. no-platforming) can be understood as attempts by one movement to control and limit the performances of another – either to limit their efficacy in general or to protect the integrity of their own counter-performance. In addition, they contend that public attacks can “galvanize and focus sentiment” (Benford & Hunt, 1992, p. 39). Certainly, the advocacy coalitions studied appeared highly galvanized: despite ambivalences and multiple sites of seeming consensus between each coalition, all respondents had a clear notion of what ‘side’ they belonged to and who their allies were. In turn, some respondents speculated that this galvanization had limited the availability of moderate discursive spaces:

“Then you have got a whole mass of people in the middle who don't want to take either of those positions but feel that there is no ground for them to engage in a conversation even. And it is fascinating that it is like this because there are other areas of feminist politics where we do have profound disagreements but it doesn't play out in this way.”

Professor Liz Kelly, Abolitionist

“Sadly, in the middle of that – everyone is trying to win – and in the middle are thousands of people who might need a bit of help if people got their heads up for five minutes.”

Chris Armitt, PSWR

In addition, a number of PSWR respondents indicated that the polarised character of the debate had made some representations unavailable to them. They suggested that, in more favourable circumstances, they might be inclined to consider certain explanations/framings of prostitution, but that current hostilities/debate dynamics prevented it:

“I think it is such a shame that the abolitionist agenda has silenced sex workers so much, that sex workers are actually scared to talk about the gendered impact of their work of the fact that there is a gendered element to the violence that they experience... I think it is because people are so worried to even engage in those feminist arguments because sex workers have had such horrible experiences of being silenced within that agenda”

Scot-Pep Board Member, PSWR

“I think where there is coercion and exploitation and trafficking, yes [prostitution should be included in VAWG policies]. But I think that it is... what worries me, when you get into those kinds of groups, there is a kind of a...what is the word... not a philosophy, a demeanour that a lot of those people think that all sex work is violent and I can't support that”

Ayres, PSWR

Interestingly, the Scot-Pep Board member's suggestion that sex-workers are disinclined to discuss the gendered nature of their involvement in the illicit sex trade, due to a kind of discursive colonisation on the part of abolitionists, reflects observations made during the Second Whore's Congress of 1986. A statement from the congress argued that, “due to feminist hesitation or refusal to accept prostitution as legitimate work and to accept prostitutes as working women, the majority of prostitutes have not identified as feminists; nonetheless, many prostitutes identify with feminist values” (cited in Overall, 1992). In sum, however, these excerpts once again suggest that the dynamics of the prostitution policy debate may influence its substantive content. Whether PSWR respondents were hesitant to discuss gender, or contemplate prostitution's inclusion within VAWG policies, their conflict with abolitionists appeared to curtail what they were prepared to say.

11.3 Conclusion

In this chapter, I have explored ways respondents, consciously or otherwise, negotiated and influenced the dynamics of prostitution policy debates. In the first section I discussed how abolitionist respondents framed the policy subsystem within which they functioned, and the conscious strategies they used to navigate it. Here, I argued that respondents behaved – to some degree - as active users of discourses, as savvy actors cognizant of the complex discursive nature of political fields. I then went on to suggest that in behaving as such, they drew on both their ideological interpretivist lens – in order to interpret the policy subsystem; and their *le sens pratique* in order to succeed within it. Drawing these observations together, I concluded that respondents were behaving in a quasi-conscious fashion – their conscious behaviours tied to, and influenced by, their unconscious. In the second section, I discussed the contentiousness of prostitution policy debates, focusing largely on the prevalence of ad hominem attacks made, and suffered, by respondents. I explored how such contentiousness mediated the substantive content of debates. In addition, I suggested that the content of individual ad hominem attacks appeared to draw from, and contribute to, the broader ideological frames entertained by respondents. Finally, I once again suggested that respondents may have drawn from their *le sens pratique* – as they did not engage, in any explicit way, with ad hominem attacks as a strategic technique, despite their apparent function.

In sum, whether respondents were assessing the cultural resonance of their discourses, or seeking to undermine the credibility of their opponents, they engaged in processes of frame promotion which appeared to transcend the straightforward presentation of their interpretation of prostitution. They interpreted power asymmetries and modified their frames accordingly; they picked words with caution and consideration. They undermined credibility, silenced, and attacked. And they did so in a way which reflected a) their broader ideological interpretations of the world and b) an apparent understanding of the functionality of the political field. To illustrate, PSWR advocates and abolitionists did not seek to impugn each other's characters in the same way. Rather, they did so in ways which reflected their broader interpretivist tendencies, and in ways which reflected what they understood to be legitimate knowledge and good conduct. Similarly, abolitionist respondents arguably interpreted the dynamics of the political field via the same interpretivist lens through which they understood prostitution – one which problematized power asymmetries and structural inequalities. These findings are not fully accounted for in literature on SFT or credibility talk (see Benford & Snow, 2000; Knight & Greenberg, 2011). Whilst Benford and Snow (2000) theorise that actors draw upon their cultural repertoire in order to increase the resonance of their frames, they do not go so far as to suggest that the way in which subjects interpret/represent obstacles to cultural resonance are framing processes in themselves. In turn, recognising that strategic action requires interpretations of the field in which such action is believed to be effective, is to view subjects as both pre-reflexive and strategic. The subject which emerges is neither entirely determined, nor entirely voluntary; she is quasi-conscious.

In their sum these observations are meaningful in a number of ways. They suggest that, when studying policy-representations, it is important to explore the context within which such representations are made. Whether because respondents shift their frames in the hopes of achieving narrative fidelity, or avoid certain concepts in order to avoid straying into discursive spaces controlled by oppositional factions. Relatedly, they potentially suggest that hostilities – sustained by the use of ad hominem attacks and silencing techniques – do as much work to stymie conciliatory working practices as do fundamental differences of opinion. Whilst significant disagreements regarding gender, and proposed methods of redress, likely create a chasm between abolitionists and PSWR, there are areas where consensus might be allowed to thrive – if only the barriers to doing so weren't so antagonistic.

CONCLUSION

In this thesis, I have explored representations of prostitution. I have surveyed data generated through 21 semi-structured qualitative interviews with policy-actors, hailing from two advocacy coalitions, working within the English prostitution policy subsystem. Furthermore, I have explored data generated through the documentary analysis of four Westminster prostitution policies and three Westminster Violence against Women and Girls (VAWG) policies. I have deployed the dual interpretivist frameworks of sociological frame theory (SFT) and critical discourse analysis (CDA), in order to draw out, and evaluate, many and varied findings – findings regarding the subjecthood of women in prostitution, and prostitutions’ various inclusion in/exclusion from VAWG narratives. In turn I have: outlined localised narratives, and situated those narratives within, and illuminated them by reference to, ideological discourses and political philosophies. This has presented me with opportunities to offer a number of theoretically informed suggestions as to how we might understand prostitution framing contests, and prostitution itself. In what follows, I draw out and restate a number of the findings of this thesis. I conclude by discussing avenues for future research, as well as summarising the various contributions this thesis has made to the rich bodies of literature from which it has drawn.

Prostitution and Subjecthood

In my first three findings chapters, I explored the way four prostitution policy documents - published between 2004 and 2010 - and 21 interviewed respondents, represented the subjecthood of women who sold sex. I approached the topic of subjecthood via the triple lenses of vulnerability, subjectivity, and gender. The selection of these lenses was primarily informed by prominent strains of thought within academic representations of the illicit sex trade. I paid particular regard, throughout, to how respondents and documents discursively constructed the relationship between women in prostitution, and their contextualising externalities. Here, I summarise my findings, and highlight recurrent themes and observations.

As explored in the introduction to Part Three, most interviewed respondents sought to complicate potentially essentialising narratives of women in prostitution, by stressing the heterogeneity of their subjecthood and experience. Furthermore, within their representations of subjecthood more broadly, members of both advocacy coalitions spoke of the range of experiences, positionalities, and perspectives they understood to be present within the populations under consideration. This was most notable with regard to discussions of choice, in which both PSWR and abolitionist respondents represented women selling sex as situated on a spectrum of voluntariness - from those severely curtailed by externalities, to those comparatively free in the exercise of their will. This broad commitment to representing women in prostitution as heterogeneous, provided an early example of the ways respondents, from different advocacy coalitions, differed less with regard to their fundamental belief systems; and more with regard to their perceptions of material prevalence. For whilst PSWR respondents represented women as occasionally

subject to severely curtailed choice, they presented this as relatively rare; and whilst abolitionists represented women as sporadically able to exercise their will in comparative freedom, they suggested that such instances were scarce. This disagreement was grounded less in abstractions regarding the constitution of choice per se, and more in quantifications of materiality. Furthermore, this ‘in principle’ consensus, served as evidence that advocacy coalitions occasionally differed, not with regard to how they understood the problem, but rather with regard to what method of redress they recommended. For whilst advocacy coalitions generally agreed regarding the existence of curtailed choice, PSWR respondents viewed this as grounds from which to advocate for the decriminalisation of prostitution; and abolitionists framed this as necessitating the criminalisation of men who bought sex.

Building on this there was consensus, among respondents, that the lives of women who sold sex were mediated by a range of externalities, at least on a conscious level. This was perhaps best illustrated by the findings explored in Chapter Six, in which respondents expressed the varied ways they felt women in prostitution could be made vulnerable. Though disagreeing on the prevalence and character of vulnerabilities, most respondents represented most women in prostitution as instrumentally affected by some kind of meso- exo- and macrosystemic externality, e.g. poor interpersonal relationships, poverty. One key site of discord revealed itself here, as whilst abolitionists framed the macrosystemic cause of vulnerability as pervasive gender inequality, PSWR respondents framed it as prostitution’s continued criminalisation. One *could suggest* that this focus on legal prohibition, reflected a largely liberal understanding of macrosystemic forces (in that the tyrannical constraint of the state is primarily problematized); but any such contention would be at least partially disrupted by noting that respondents from both advocacy coalitions framed women who sold sex as negatively influenced by poverty/the gendered nature of employment markets. Furthermore, sex positive theorists similarly believe commercial sex should be decriminalised, so conclusions regarding the aetiological nature of these claims should be treated with caution.

In this, respondents largely differed from narratives articulated within the policy documents selected for analysis. In keeping with previous contributions to the field (see Kantola & Squires, 2004; Munro & Scoular, 2012; Phoenix, 2005), I concluded that these documents remained silent on the role of macrosystemic externalities in influencing the lives of women who sold sex. In turn, I suggested that this silence legitimised redress through criminalisation and hyper-responsibilization, whilst foreclosing on more radical modes of amelioration. I suggested, in concert with the academic works cited, that this reflects the influence of neoliberal ideological discourses, insofar as such interventions seek to subjectify women, resigning them to their disadvantage, without making any attempt to redress the social contexts which mediates such disadvantage. With that said, what is notable with regard to representations of the externalities influencing women in prostitution, articulated by both respondents and documents, is how negative they were. Very rarely did a respondent, regardless of their affiliation, suggest that a woman in prostitution had entered the trade in response to a positive external stimuli. This, then, contributed to a sense – created by both coalitions, if to varying degrees – that the choice to enter prostitution was very often consequent to dire straits.

Among respondents, from both coalitions, there was a general consensus regarding the internal individualism of women who sold sex. This was perhaps best expressed by the general claim that - whilst women who sold sex could be influenced by the effects of socialisation – internalised externalities should not be represented as instrumental with regard to the exercise of free will. This position, I suggested, existed in tension with a number of the other representations made. For instance, the abolitionist commitment to

framing prostitution as consequent to deleteriously pervasive gender ideologies (e.g. the objectification of women), seemed to sit uneasily with their broader representations regarding the individualised will. Similarly, the suggestion made by some PSWR respondents, that British cultural norms organised pervasive beliefs regarding female sexuality, seemed to conflict with their staunch commitment to internal individualism elsewhere. In conclusion, I would suggest that hegemonic discourses of the subject, as articulated in reference to prostitution, drew from and contributed to a plurality of complementary and conflicting discourses – the dominance of which oscillated dependent on context and topic. I would suggest that when it came to *speaking directly* to the epistemic validity of lived experience, discourses which framed women as internally individual were almost always dominant. I suggested, in Chapter Eight, that this may be partially attributable to an ethics regarding the inviolability of autonomy rights. It is possible that this reordering of discourses, dependent on the topic and context, shows a somewhat goal orientated approach to representations, in which respondents – pre-reflexively or otherwise – selected ideologies based on how well they served their localised narratives, rather than vice versa (as critical discourse analysis would suggest). This would arguably speak to the claim, made by advocacy coalition framework theorists, that policy-actors variously embrace/disregard ideas and evidence dependent on their diagnosis of a problem.

In any event, this general commitment to internal individualism – and the heterogeneity of the population of women selling sex - very frequently led abolitionists to promote problematisations of prostitution by reference to public interest concerns. In so doing, they evaded totalizing depictions and sought, rather, to problematize macrosystemic trends, without condemning every granular aspect of selling sex. This position, I suggested, was interesting, insofar as it relied on a somewhat sophisticated understanding of relationality – in which an individual's activities and choices were framed as variously reproductive/disruptive of the constitution of the social field. In turn, I suggested that when viewed through a lens of Bourdieusian or Butlerian theory, this representation of prostitution provided compelling academic fare. Both theorists disrupt discourses of individualism, and suggest that relationality, dependency and vulnerability raise difficult normative questions about responsibility. I expressed concern, however, that this reading of prostitution might reduce neutral/positive experiences to meaningful, only insofar as they related to the negative experiences of others – and therefore might commit an act of theoretical erasure.

The most theoretically contested dimension of subjecthood was gender, and its instrumentality with regard to routes into prostitution and the illicit sex industry itself. As intimated, respondents from both advocacy coalitions, framed the gendered dimensions of employment markets as influential with regard to women's choices to sell sex, but beyond this there was limited agreement. For whilst abolitionists framed pervasive gender ideologies and their broad manifestations (e.g. objectification, gendered violence) as instrumental in structuring the illicit sex trade, PSWR respondents rejected this framing – often pointing to the existence of male sex buyers as evidence of its mythology. And whilst abolitionists represented notions of male privilege and entitlement as highly influential in constructing the demand for prostitution; PSWR advocates sought to frame men as either subject to base biological urges or as less susceptible to oppressive cultural norms. Notably, the documents studied, though alluding to gender asymmetries within prostitution, remained silent on the instrumentality of gender. They did so either by stressing the putative diversity of people selling sex, de-gendering references to parties to the sex trade, or gendering parties but failing to provide an explanation as to why such gendering had occurred. Taken together, these representations appeared to frame the gendered dimensions of prostitution as taken for granted. This, I suggested, reflected a naturalisation of gender binaries as framed by masculinist interests. Here, then, narratives of biological determinism, unequal resource distribution, and gendered disadvantage - reflecting ostensibly masculinist, feminist and socialist discourses – were functioning within the same space.

Prostitution and Violence against Women and Girls

In Part Four, I explored the way three selected VAWG policy-documents and the 21 interviewed respondents, represented violence in generic terms; before moving on to discuss the way they variously included/excluded prostitution from related narratives. In what follows, I summarise these findings and highlight recurrent themes.

Respondents, from both coalitions, tended to represent VAWG – in generic terms - as causally related to socially ingrained, and gendered, power asymmetries. In turn, they appeared to silence problematisations of individual pathology/rationality. Furthermore, many sought to represent VAWG as systemic and systematic – and therefore as a social, rather than private, problem. For the most part, then, respondents drew from and contributed to a FSM-VAWG; and silenced more (neo)-liberal framings of the same. Notably, the documents under study, were less than precise about what they understood to cause VAWG, but nonetheless seemed to adhere to a similarly feminist rendering. Evidence of this can be found in the repeated invocations of ‘gender inequality’ as somehow interrelated to VAWG, and the proposed methods of redress, namely consciousness raising regarding gendered matters.

Respondent and documentary representations of ‘violence’, mirrored the ambivalences and ambiguities present in much academic literature on the same. What was notable, however, was that whilst respondents cited a broad array of activities/experiences as constituting violence, they tended to conceive of the phenomenon in interpersonal terms. Indeed, whilst they often reported a conjectural openness to concepts of social violence, they tended to ultimately reject related theories. This finding echoes the work of theorists such as Galtung (1969) and Morgan and Bjorkert (2006), all of who have observed that dominant discourses of violence tend to constitute the phenomena in interpersonal terms. Here, then, we arguably see the effects of extant discourses on respondent representations. Over and above this, respondents appeared to draw on a plurality of complementary/contradictory discourses in order to define violence, including criminal justice narratives and feminist narratives of coercive control. Notably, at various points throughout Chapters Nine and Ten, I queried what utility there would be in disrupting or accepting extant discourses in more general terms, and expressed deep ambivalence regarding the issue.

In Chapter Three, I suggested that the dominance of relatively narrow definitions in representations of violence could potentially be explained by the affinity between narrow understandings of violence and liberalism. An analysis of my findings at least partially disrupts this early inference, however, as many of my respondents sought to problematize social forces through narratives of causality and conductivity – thus drawing on, and contributing to, critical social theories and disrupting liberal ideology. This method of problematisation occasionally created ambiguities, however. Indeed, within the three documents selected for study, whether something ostensibly structural or symbolic (e.g. sexualisation) was represented as violence per se, or causally/contextually related to violence, frequently remained unclear. I concluded that whilst discursive constructions of sexualisation seemed to suggest that it was conceived of in terms of the latter, I could not conclusively draw that inference due to a lack of available data. In exploring this matter with respondents, it was clear that some had actively engaged with the issue. Indeed, some abolitionists suggested that they could, and had, framed phenomena such as sexualisation in different ways. This seemed to form one of two central stakes in abolitionist framing disputes regarding prostitution’s inclusion in VAWG narratives. The other was the epistemic weight of individual subjectivities. The two stakes intertwined - for whilst defining prostitution as violence potentially undermined the epistemic centrality of

individual subjectivities (women selling sex may not agree to such a classification); defining prostitution as a conducive context for violence *somenwhat* evaded such difficulties.

In any event, whilst PSWR respondents, and abolitionists, shared areas of consensus regarding violence broadly construed, they disagreed vehemently when narratives of prostitution were brought into dialogue with narratives of VAWG. The majority of PSWR respondents were very much against the inclusion of prostitution within narratives of VAWG, and framed attempts at inclusion as insulting. Including the sale of sex within policies designed to address VAWG was, they suggested, a paternalistic attempt to undermine the lived experiences of women selling sex. Such claims, I suggested, existed in tension with the more ambivalent claims – made by the same respondents – regarding violence in generic terms. I suggested, in turn, that strong reactions to prostitution’s inclusion resulted from the perceived politicality of present renderings of VAWG, and the ownership of such politicality by abolitionists.

Over and above this, the policy documents studied approached prostitution in ambiguous and unstable ways. For whilst the *Together We Can End VAWG* and *Taking Action* made a handful of allusions to prostitution, *Call to End VAWG* suggested that the matter should be dealt with elsewhere. In addition, where prostitution was mentioned, it was unclear how precisely it was conceived to relate to VAWG narratives more broadly. Overall, I think it worth noting that there appeared to be fairly consistent framing oscillation in the documents under study, in which the second – and middle document (*Call to End VAWG*) – seemed more othering, less inclined towards prostitution’s inclusion, and therefore altogether less progressive than its predecessor and successor. This in turn evidences that, whilst there may be some level of frame stability with regard to the interrelation between gender and violence – indeed all documents alluded to such interrelation – this does not necessarily ensure an otherwise progressive and desirable policy product. Rather, vigilance as to the specificities is required.

Findings in Totality

By drawing all findings together, it becomes clear that discourses of gender were some of the most contested between the coalitions under study. For whilst abolitionists framed prostitution as gendered, and more or less violent insofar as it was gendered, PSWR respondents fought this representation, accepting, only, that an ability to find and sustain gainful employment - and sexual desire - were gender dependent. In my final findings Chapter, I presented evidence to suggest that PSWR reluctance to implicate gender *might have been* consequent to a sense that related narratives belonged to abolitionists and that, to deploy them was to risk a colonisation of sorts. Indeed, in Chapter Eleven, I explored a variety of ways in which the dynamics of the framing contest studied may have contributed to the interpretations and representations promoted by interviewed respondents. To illustrate, I presented evidence that abolitionist coalition members strategically sought to modify frames in order to circumnavigate dominant masculinist discourses, or the relative inaccessibility of terminology associated with critical social theories, e.g. patriarchy.

In contrast, the two advocacy coalitions studied shared spaces of ideological convergence. This was particularly notable with regard to the role of externalities in curtailing choice, the epistemic credence of women’s perspectives, internal individualism more broadly, and causal explanations for violence against women and girls. Thus, within the advocacy coalitions studied - these discourses were relatively dominant. This, then, *to some degree*, disrupts the notion that different approaches to prostitution stem from distinct ideological commitments, organised around liberalism and its rejection (see Beran, 2012). In turn, such findings support Smart’s (1990) contention that the conceptual straitjackets, created by discursively segregating forms of feminism, can mask more than they reveal. Here, such straitjackets would have left

telling results, opaque. What is also of interest is that the discourses from which these narratives draw arguably exist – to some degree – in tension with one another. For instance, framing subjects as essentially internally individual, *and* as subject to the individual manifestations of pervasive gender inequalities, seems – as I have already suggested – a challenging proposition. This, then, confirms Fairclough’s observation that “heterogeneous elements” go into the production of texts (broadly construed) and that “the rearticulated order of discourse is a contradictory one” (2010, p. 63).

Future Research

As intimated at various points throughout the course of this thesis, a more thorough exploration of policy-brokers (e.g. actors whose “primary concern is with keeping the level of conflict [between adversarial coalitions] within acceptable limits and with reaching some ‘reasonable’ solution to the [policy] problem” (Sabatier, 1988, p. 144)), and the processes of policy brokering, might yield telling results. How contested narratives of prostitution are brought into dialogue with one another, in order to create seemingly cohesive policy narratives, remains unclear. Whether, for instance, silences regarding macrosystemic causes of vulnerabilities – within policy documents – result from the dominance of neoliberal frames, or a fundamental lack of consensus between powerful advocacy coalitions, or both/neither, remains undetermined. In exploring such facets of research, we may better understand how hegemonic discourses – replete with a variety of complementary and contradictory discourses, but ordered by reference to dominant ideologies – are created in policy making. Notably, Weible and colleagues (2009) have lamented the lack of research on policy brokers and their role within policy subsystems. Research of this kind, then, would contribute to broader work on discourse analysis and hegemony, prostitution policy and advocacy coalition framework.

Relatedly, it might be fruitful to explore the existence, and constitution, of other advocacy coalitions within the policy subsystem under study. For instance, this research did not explore the representations of respondents hailing from theological-discursive/organisational spaces – though many religious organisations were involved in a number of relevant consultation processes (see *Coordinated Strategies*). It did not therefore capture any such dimension of the policy subsystem under study. Not only would such research provide a richer and more complete picture of the plurality of narratives at play within prostitution framing contests, it might provide a fruitful opportunity to study practices of frame modification and amplification. Do, for instance, actors based in religious organisations alter their representations of a problem to achieve narrative fidelity with the cultural repertoire of an ostensibly secular government?

In this vein, more research would be required to fully explain, and expound upon, the kind of dynamics I suggested might be at play within the framing contests studied. My research was designed to explore the substantive content of frames. I did not, therefore, initially intend to write the final findings chapter of this thesis (Chapter Eleven), but the influence and theoretical significance of framing processes became undeniable through analysis. Many matters require attention. How did respondents come to ‘know’ that promoting frames which possessed a narrative fidelity with pre-existing cultural repertoires might do important political work? What consequence does this kind of frame amplification (e.g. diluting frames in order to make them more palatable) have on the perpetuation of hegemonic narratives? What might have been the consequences of failing to engage in such frame amplification? Might the theories of critical discourse analysis and Bourdieusian sociology (particularly the theory ‘le sens pratique’) explain and illuminate some of the dynamics at play? Research of this kind would contribute to the study of discourse,

hegemony and policy-actor subjecthood, and would be useful in exploring my contention that policy-representations should be understood by reference to the discursive space within which they are promoted.

Contributions

This thesis has made a number of contributions to the field of prostitution and VAWG policy studies, discourse analysis and critical social theory. It has introduced a wealth of original findings, generated through 21 interviews with policy-actors, hailing from two bitterly opposed advocacy coalitions, working within the prostitution policy subsystem of England and Wales. It has offered an in-depth exploration of both those findings, and findings generated through the documentary analysis of seven documents. What has resulted is a rich and nuanced exploration of: the localised prostitution narratives promoted by actors and documents; the ideological nature of those narratives; and the theoretical opportunities they invite.

Most notably, my work has demonstrated that, though prostitution policy debates originally present as polarised, the PSWR and abolitionist coalitions actually occupy some areas of ideological overlap. This is most observable with regards to the manner in which my respondents conceptualised the internal individualism of women who sold sex – a matter about which there was significant consensus. What this may suggest is that a more conciliatory approach to policy making may be – in some ways - hindered less by fundamental differences with regard to how prostitution as a phenomenon is understood, and more with regard to the promotion of distinct and convergent prognostic frames, or movement hostilities. This finding disrupts some previous academic commentary on prostitution debates, which constructs individualism as a key site of consensus, and Sabatier's ACF, which is based on the idea that coalitions form around their 'core' beliefs and show a willingness to compromise on secondary considerations (e.g. forms of redress).

Notably, my work also begins the work of filling a research lacuna with regard to prostitution's various inclusion in/exclusion from domestic VAWG policy narratives. It begins by demonstrating that, despite a broad consensus regarding the appropriateness of a feminist sociological model of violence in general terms, the question of whether or not prostitution should be included within related narratives remains highly contested. I suggest that this is, in part, attributable to the perceived politicality of VAWG narratives, and a concern amongst PSWR advocates that any form of inclusion would expose their representations of prostitution to appropriation by abolitionist policy-actors. I then go on to explore how this contention has seeped into the abolitionist coalition, creating something of an intramural dispute regarding precisely how prostitution should be discursively included within VAWG policies. For whilst some promote frames which construe all prostitution as violence per se, others counter such representations – favouring a more differentiated approach.

Methodologically, this thesis makes a notable contribution. By bringing two interrelated but distinct discursive analytical techniques (CDA and SFT) together, with the Bourdieusian theory of action, it explores how policy-actors can be conceived as *both* formed through, and active users of, discourse. This approach allowed me, and may allow others, to explore the complexity of political fields and behaviours, in a way not previously provided for by each interpretivist lens on its own. In Chapter Eleven, I illustrated this by discussing how abolitionists pre-reflexively interpreted the political field through an ideological filter, and subsequently behaved strategically in order to negotiate it.

Finally, my thesis offered a number of notable theoretical contributions. In Chapter Seven, I drew on the work of Laclau, to explore how ambivalent, pluralistic, and divergent construals of the term 'vulnerability'

demonstrated that the term had become a ‘floating signifier’ - a surface of inscription, beneath which meaning was fluid and contested. In turn, I suggested that ‘vulnerability’ did important political work insofar as it facilitated a hegemonic struggle through which Westminster governments were able (knowingly or otherwise) to promote a regressive representation of prostitution, whilst seeming to achieve consensus amongst its stakeholders. Thereafter, in Chapter Eight, and prompted by the contributions of abolitionist respondents, I explored how critical social theories – such as Bourdieu’s theory of action – could offer new ways to conceptualise the harms of prostitution. I suggested that by focusing on the relationality and dependencies of women who sell sex, and their positionalities within/reproductions of the conceptual space afforded by the illicit sex industry, one could avoid totalizing depictions of prostitution and proffer a more differentiated narrative regarding the harms it conferred. I tempered my analysis, however, by expressing concern regarding the theoretical erasure of neutral/positive experiences such an analysis might create. Finally, in Chapter Ten, I explored whether or not the harms of prostitution could be understood by reference to Bourdieu’s theory of symbolic violence. Whilst concluding that they could, I suggested that this theoretical move might be normatively undesirable, particularly given the broad neoliberal policy context within which any recommendation would be made. Here, then, I encountered – like so many of my respondents – the difficulties of promoting one’s preferred representations in a highly contentious and complex political field.

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Appendix A – Consent Form

“Reconceptualising the sale of sex: Discursive constructions of prostitution in an English Policy Context” (Working Title).

A Ph.D. Project

Obtaining Information

	Yes	No
I have been given a project information sheet.	<input type="checkbox"/>	<input type="checkbox"/>
<hr/>		
I have read and understood the project information sheet.	<input type="checkbox"/>	<input type="checkbox"/>
<hr/>		
I have been given the opportunity to discuss the project and have been encouraged to continue to discuss any concerns I may have.	<input type="checkbox"/>	<input type="checkbox"/>

Participation

	Yes	No
I agree to participate in this research project.	<input type="checkbox"/>	<input type="checkbox"/>
<hr/>		
I agree to the audio recording of my interview.	<input type="checkbox"/>	<input type="checkbox"/>
<hr/>		
I understand that participation in this project is entirely voluntary and that I may withdraw at any time.	<input type="checkbox"/>	<input type="checkbox"/>

Data Management

	Yes	No
I understand that my words may be used in R. Hewer’s Ph.D. thesis and in any of her subsequent research outputs (e.g. journal articles, book chapters, reports).	<input type="checkbox"/>	<input type="checkbox"/>

I understand that the audio recordings, used to create written transcripts, will **not** be ☐ ☐
shared with any third party.

I understand that, following transcription, I will be given the opportunity to read my ☐ ☐
words and add to them (in writing, via email, or in a second interview).

Data Management – Preferences

You may decide how you wish to be referred to when your words are quoted in any outputs emanating from this research.

*Please choose **one** of the following options.*

I would like to be referred to by my real name. ☐

I would like to be partially anonymised, and referred to by my job title. ☐

I would like to be anonymised. ☐

As discussed in the information sheet, data obtained by an ESRC funded researcher should – where possible – be deposited in the UK Data Archive. In turn, data from the archive can be used and quoted by third party ‘genuine’ researchers. **However**, the final decision regarding how your words are used, and who they are made available to, lies with you. Your participation in this research project will **not** be affected by your decision in this regard.

*Please choose **one** of the following options.*

The data I provide **may be** deposited in the UK Data Archive. ☐

The data I provide **may not be** deposited in the UK Data Archive. ☐

Declaration

I have read, understood and voluntarily completed the above.

_____	_____	_____
Name of participant	Signature	Date

_____	_____	_____
Researcher	Signature	Date

Researchers Details: Rebecca MF Hewer

Address: Office 5.15, Chrystal Macmillan Building, The University of Edinburgh, 15a George Square Edinburgh, EH8 9LD. **Telephone:** 07977651020 **Email:** s1204113@sms.ed.ac.uk

Appendix B – Participant Information Sheet

“Reconceptualising the sale of sex: Discursive constructions of prostitution in an English Policy Context” (Working Title).

A Ph.D. Project

Invitation Paragraph: My work explores the way prostitution is *discursively* constructed by influential policy-actors. Rather than studying prostitution itself, I explore the way we speak about it, the way we understand it conceptually, and the way our understanding shapes our political landscape. From an analytical standpoint, I focus on the kind of political and sociological theories, ideas and narratives used to support policy constructions. I am particularly interested in the way policy actors view the Violence against Women (VAW) Agenda and how they variously include and exclude prostitution from it.

I am asking you to participate in my research project as I believe that you likely possess valuable knowledge regarding the above. You (or your organisation) were identified following a systematic review of relevant policy documents, parliamentary records and academic literature, **or** as a result of peer recommendation.

In this information sheet, I discuss some important parts of my research. I would ask that you read each section before you decide whether you wish to participate. *The sheet is not exhaustive and I would encourage you to raise any specific questions you may have.*

What is the purpose of the research project?: This study is being conducted, first and foremost, for educational purposes – namely the creation and completion of my Ph.D. thesis. In order to receive a doctorate, I must evidence (among other things) that I have rigorously designed and properly performed original research. Over and above this, I am hopeful that my work will contribute to political and academic debate regarding prostitution policy.

What will happen if I take part?

If you agree to take part:

- An interview will be arranged and conducted.
- Interviews will: last approximately 2 hours; be largely unstructured (e.g. conversational); and be tailored to your specific area of knowledge.
- Interviews will be audio recorded, unless you specify otherwise.
- During the course of the interview, you will be asked about your political and professional knowledge, opinions and beliefs. You will not be asked to disclose any personal information.
- You are under no obligation to answer any question put to you, and may withdraw from the project, at any time, without prejudice.
- I will create a full, verbatim, transcript of your interview. Transcription will not be outsourced.
- I will send you your transcript and grant you ample opportunity to read and comment on it.
- If much was left unexplored, I may ask for another interview. You are not obliged to agree.

Data Management: I am committed to keeping any and all information you provide confidential, **unless you specifically ask me to do otherwise.** I will achieve confidentiality in a number of ways:

- I will never share your contact details or correspondence with any third party.
- I will delete your audio recording as soon as we have agreed upon a final transcript.
- I will anonymise you in your transcript and whenever you are quoted in any subsequent research output. Anonymity will be achieved by substituting your name with a random letter.

UK Data Archive: As I am funded by the Economic and Social Research Council, I am expected to – where possible – deposit collected data into the UK Data Archive. Data stored in the archive can be accessed by genuine researchers in furtherance of their own research projects. The existence of the archive, and the ESRCs position on data sharing, reflect a governmental stance that information obtained using public funds (e.g. research funding) should be made available to improve public service provision and political debate.

However, the final decision regarding how your words are stored and used is your own. Your wishes are paramount and will therefore be heeded wherever possible. As such, whether or not your interview transcript is deposited in the UK data archive is ultimately up to you. *Importantly, your participation in this research project will not be effected by your decision in this regard.*

Advantages and Disadvantages of Participation: There should be no notable disadvantages involved in participating, other than the inconvenience of an interview. If you foresee a disadvantage and are concerned, I would encourage you to discuss the matter with me so I can assist. My academic work is underpinned by a normative commitment to human compassion, and I intend to take this into the interview space.

There are no direct personal advantages to participation. I am hopeful, however, that my work (of which you would be an essential element) might contribute to the fields of academic and political debate. Additionally, I am committed to knowledge exchange/impact, and would therefore be more than happy to liaise with your organisation regarding my findings/research outputs. I could, for instance, provide a summary of my work, or a seminar to discuss the issues highlighted within it.

About Me: I am a Social Policy Ph.D. candidate at the *University of Edinburgh* and am supervised by Dr Sharon Cowan (Law), Dr Sotiria Grek (Social Policy), and Dr Katherine Smith (Social Policy). In addition, I am funded by the *Economic and Social Research Council*, a non-departmental public body which supports social science research across the United Kingdom.

This project has received ethical approval from the School of Social and Political Science, the University of Edinburgh.

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Appendix C - Interview Aide Memoire

How is the 'prostitute-subject' discursively conceptualised?

In policy, women involved in prostitution are frequently described as vulnerable. Where does that vulnerability come from?

Is every woman involved in prostitution vulnerable?

Do women choose to participate in prostitution?

What might mitigate a woman's choice or ability to choose?

Are all women involved in prostitution victims? What might prevent someone from being included within that category?

Given the emphasis on vulnerability, why do you think women involved in prostitution are still criminalised?

How is inclusion/exclusion of prostitution in/from VAW as a discursive paradigm discursively achieved?

What forms of violence are women selling sex believed to suffer and how?

What is Violence against Women and why is it treated as a distinct policy field?

In this context, how would you define violence?

What harm is caused by violence?

Does violence have to have an identifiable perpetrator?

Can a person consent to violence?

How do we address violence against women?

Is prostitution a form of violence against women? What about prostitution makes it a form of violence against women?

Are there any parts of prostitution which do not constitute a form of violence against women?

If a woman consents to involvement in prostitution, can she still be a victim? How/why?

What constitutes 'consent' in this context?

What is sexual exploitation? When and how are individuals subject to sexual exploitation?

Is all prostitution a form of exploitation? Why/how?

What is sexualisation? When and how do people become victims of sexualisation?

Who are the perpetrators of sexual exploitation?

There are lots of criminal offences which, in some way, relate to prostitution. Which ones do you believe are constructed to protect women selling sex? How do they do this?

How do we address prostitution?

When prostitution is included in the VAW agenda who/what are/is believed to be perpetrator(s) and how does perpetration manifest itself?

Who are the perpetrators of violence against women involved in prostitution?

Who is the perpetrator in s.14A PCA 2009? The controller or the buyer or both?

Who are the victims of kerb-crawling? How does that victimization function?

A larger proportion of prostitution offences focus on third parties (e.g. pimps), rather than on parties to the “contract”. Why do you think that is?

When should we consider a buyer of sex a perpetrator?

It is possible to perpetrate an act of violence and not know that you are doing so? Can you give me some examples of this?

Appendix C – Table of Respondent Names

Name/As Referred to In Research	Primary Sector	Allocated Advocacy Coalition	Organisational Affiliations	Purpose of Organisation
Alex Feis-Bryce	Third	PSWR	National Ugly Mugs (NUM)	NUM records reports of violent incidents from, and issues alerts to, people selling sex.
Cara Mitchell	Third	PSWR	English Collective of Prostitutes (ECP)	The ECP is an activist organisation which campaigns for the decriminalisation of prostitution and related issues.
Assistant Chief Constable Chris Armitt	Statutory	PSWR	Police, National Police Chiefs Council (NCCP)	The NCCP is brings Assistant Chief Constables together in order to coordinated responses to national policing operations.
Fiona MacTaggart (MP)	Government	Abolitionist	Labour Party, House of Commons	The Labour Party is, at the time of writing, the opposition party in the House of Commons.
Gavin Shuker (MP)	Government	Abolitionist	Labour Party, House of Commons	As above.
Georgina Perry	Statutory	PSWR	Open Doors (NHS) and UK Network of Sex Work Projects (UKNSWP)	Open Doors is an advice and referral service, and clinic, for people working in prostitution. The UKNSWP is an association of agencies and individuals working with people in prostitution.
Heather Harvey	Third	Abolitionist	Eaves for Women	Eaves was a VAWG service provider and campaigning organisation, specialising in trafficking, prostitution and sexual violence. It was

				disbanded following budget cuts.
Right Honourable Jacqui Smith, Former Home Secretary	Government	Abolitionist	Labour Party, House of Commons	As above.
Jane Ayres	Statutory	PSWR	Praed Street (NHS)	A support service and sexual health clinic for women and transsexual people working in prostitution.
Julie Bindel	Third	Abolitionist	Eaves for Women and Freelance Journalist	As above.
Laura Watson	Third	PSWR	English Collective of Prostitutes (ECP)	As above.
Professor Liz Kelly	Third	Abolitionist	End Violence against Women (EVAW) Coalition (formerly WNC) and London Metropolitan University	EVAW is a coalition of VAWG agencies, researchers, activists and related organisations/people.
Lord Jones of Cheltenham	Government	Abolitionist	Liberal Democrats, House of Lords	The Liberal Democrat Party is, at the time of writing, the third largest party within the House of Commons.
Philip Davies (MP)	Government	PSWR	Conservative Party, House of Commons	The Conservative Party is, at the time of writing, the majority party in the House of Commons and the Government.
Roz Hardie	Third Sector	Abolitionist	Object	An activist organisation which campaigns against the objectification and sexualisation of women.
Sarah Green	Third Sector	Abolitionist	End Violence against Women (EVAW) Coalition (formerly WNC)	As above
Scot-Pep Board Member	Third Sector	PSWR	Scot-Pep	Scot-Pep is an activist organisation which campaigns for the decriminalisation of

				prostitution in Scotland, the UK and globally.
VAWG Charity Staff	Third	Abolitionist	VAWG Charity	A campaigning organisation.
Academic	Statutory	Abolitionist	Police and University	N/A
Retired Civil Servant	Government	Abolitionist	Not Disclosed	N/A
Civil Servant	Government	Policy Broker	Home Office	The Home Office is a ministerial department with responsibilities for security, law and order.